

THE JUDICIARY
STATE OF HAWAII

REQUEST FOR PROPOSALS
NO. J19100

HEALTH AND HUMAN SERVICES
FOR THE PERIOD
JULY 1, 2019 THROUGH JUNE 30, 2021

NOTE: If this solicitation document was downloaded through the internet, each applicant must register through email, providing contact information to the listed contact person in the Judiciary Contracts & Purchasing Office. Registration is essential for you to receive any addendums or other information for this solicitation. The Judiciary shall not be responsible for any missing addenda, clarifications, attachments or other information regarding this solicitation if an offer is submitted from an incomplete solicitation document.

NOVEMBER 2, 2018

NOTICE TO APPLICANTS

This solicitation is provided to you for information purposes. If interested in responding to this solicitation, you may choose to submit your offer on the downloaded document provided. **You must register** your company by fax or email for this specific solicitation. If you do not register your company, you will not receive addenda, if any, and your offer **may be** rejected and not considered for award.

Registration

Submit FAX or Email to: FAX No.: (808) 538-5802
Email: Tritia.L.Cruz@courts.hawaii.gov

Provide the following information:

- | | | |
|-----------------------|---|--------------------------|
| • Name of Company | • Mailing Address | • Name of Contact Person |
| • Telephone Number | • FAX Number | • Email Address |
| • Solicitation Number | • Fedex (or equivalent) account number (document will be sent by U.S. Postal Service first class mail if this is not provided.) | |

November 2, 2018

To: All Applicants

From: Terri Gearon, Financial Services Director
The Judiciary, State of Hawaii

Subject: Notice of Request for Proposals No. J19100
Health & Human Services for the period July 1, 2019 through June 30, 2021

The Judiciary, State of Hawaii, is requesting competitive sealed proposals from qualified applicants to provide Health & Human Services for the period July 1, 2019 through June 30, 2021, subject to availability of funds. The proposal application and contract award procedures are in accordance with Chapter 103F, Hawaii Revised Statutes. Multiple contracts will be awarded pursuant to each service specification under this Request for Proposals (RFP).

The attached packet of materials outlines the requirements for proposal applications. It includes the administrative requirements, service specifications, application form, and other information. This RFP is available on our Judiciary web site at <http://www.courts.state.hi.us> under "General Information / Business with the Judiciary", or from the Contracts & Purchasing Office listed below, or from the contact persons listed in the RFP Section Two - Service Specifications.

Persons or organizations must submit four (4) sets (Orig. + 3 copies) of their completed proposal applications (in hard copy or in PDF format on CD) and postmarked by US Postal Service on or before **January 15, 2019** and received no later than 10 days from the submittal deadline. Hand delivered proposals shall be received **no later than 4:00 p.m., Hawaii Standard Time, on January 15, 2019.**

Deliveries by private mail services such as FEDEX shall be considered hand deliveries. Hand deliveries shall not be accepted if received after 4:00 p.m., **January 15, 2019.**

Proposals will be received at:

The Judiciary, State of Hawaii
Financial Services Division, Contracts & Purchasing Office
Kauikaouli Hale (District Court Building)
1111 Alakea Street, 6th Floor
Honolulu, HI 96813-2807
Attn: Ms. Tritia Cruz

Proposals postmarked or hand delivered after the appropriate dates and times shall be considered late and rejected, and will be returned to the applicant unopened. (See Section 1.9.8 - Proposal Submittal, for postmark or hand delivery restrictions.)

The actual funding of the contract will be based on the proposal applications submitted by the applicants and the service required by the Judiciary. The Administrative Director of the Courts reserves the right and power to award the contract in any manner which he deems to be in the best interest of the Judiciary.

The Judiciary will conduct an orientation meeting on the following dates, locations and times indicated:

November 26, 2018	Oahu	First Circuit Court Kaahumanu Hale 3 rd Floor Multi-purpose Room 777 Punchbowl Street, Honolulu, HI Contact: Tritia Cruz Ph. 808-538-5805 Email: Tritia.L.Cruz@courts.hawaii.gov	9:00 am - 12:00 pm
November 19, 2018	Maui	Second Circuit Court Hoapili Hale 2 nd Floor Multi-purpose Room 2145 Main Street Wailuku, Maui, HI Contact: Kim Cuadro Ph. 808-244-2729 Email: Kim.S.Cuadro@courts.hawaii.gov	9:00 am - 12:00 pm
November 20, 2018	Kauai	Fifth Circuit Court Kauai Judiciary Complex Multi-purpose Room 3970 Kaana Street Lihue, Kauai, HI Contact: Danette Wise Ph. 808-482-2342 Email: Danette.V.Wise@courts.hawaii.gov	9:00 am - 12:00 pm

November 21, 2018	Hawaii-Kona	Third Circuit Court Keakealani Building Jury Room 79-1080 Haukapila Street Kealahou, HI Contact: Aolani Mills Ph. 808-322-8726 Email: Aolani.M.Mills@courts.hawaii.gov	9:00 am - 12:00 pm
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All prospective applicants are encouraged to attend this orientation and to bring their RFP packets with them.

Program questions may be directed to the appropriate contact persons listed in the RFP Section Two - Service Specifications. Other questions regarding this RFP may be directed to Ms. Tritia Cruz in the Contracts & Purchasing Office at 808-538-5805, or Email: Tritia.L.Cruz@courts.hawaii.gov

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SECTION ONE

ADMINISTRATIVE OVERVIEW

SECTION ONE - ADMINISTRATIVE OVERVIEW

Applicants are encouraged to read each section of this RFP thoroughly. While sections such as the administrative overview may appear similar among RFPs, state purchasing agencies may add additional information as applicable. It is the responsibility of the applicant to understand the requirements of this RFP.

1.1 Procurement Timetable

Note that the procurement timetable represents the Judiciary's best estimated schedule. If an activity on this schedule is delayed, the rest of the schedule will likely be shifted by the same number of days. Contract start dates may be subject to the issuance of a notice to proceed.

Activity	Scheduled Date
A. Public Notice Announcing RFP	November 2, 2018
B. Distribution of RFP	November 2, 2018 – January 15, 2019
C. RFP Orientation Session(s)	November 19 – 26, 2018
D. Deadline for Submission of Applicants' Written Questions for Written Responses	4:00 p.m. or postmarked November 29, 2018
E. Judiciary's Response to Applicants' Written Questions	On or about December 13, 2018
F. Discussions with Applicants Prior to Submittal Deadline (optional).	November 2, 2018 – January 15, 2019
G. PROPOSAL SUBMITTAL DEADLINE	4:00 pm or Postmarked January 15, 2019
H. Discussions with Applicants After Submittal Deadline (optional)	Mid January 2019 - March 2019
I. Final Revised Proposals (optional)	Late January 2019- February 2019
J. Proposal Evaluation Period	Mid January 2019 - March 2019
K. Provider Selection and Award	February 2019 - April 2019
L. Notice of Statement of Findings and Decisions	February 2019 - April 2019
M. Contract Development	March 2019 - May 2019
N. Contract Start Date (tentative)	July 1, 2019

1.2 Website Reference

The Judiciary Website is <http://www2.hawaii.gov/jud> under “Doing Business with the Judiciary/Solicitations”.

Item		Website
1	Procurement of Health and Human Services	http://spo.hawaii.gov/for-vendors/vendor-guide/methods-of-procurement/health-human-services/competitive-purchase-of-services-procurement-method/cost-principles-table-hrs-chapter-103f-2/
2	RFP website	http://hawaii.gov/spo2/health/rfp103f/
3	Hawaii Revised Statutes (HRS) and Hawaii Administrative Rules (HAR) for Purchases of Health and Human Services	http://spo.hawaii.gov Click on the “References” tab.
4	General Conditions, AG-103F13	http://hawaii.gov/forms/internal/department-of-the-attorney-general/ag-103f13-1/view
5	Forms	http://spo.hawaii.gov Click on the “Forms” tab.
6	Cost Principles	http://spo.hawaii.gov Search: Keywords “Cost Principles”
7	Protest Forms/Procedures	http://spo.hawaii.gov/for-vendors/vendor-guide/protests-for-health-and-human-services/
8	Hawaii Compliance Express (HCE)	http://spo.hawaii.gov/hce/
9	Hawaii Revised Statutes	http://capitol.hawaii.gov/hrscurrent
10	Department of Taxation	http://tax.hawaii.gov
11	Department of Labor and Industrial Relations	http://labor.hawaii.gov
12	Department of Commerce and Consumer Affairs, Business Registration	http://cca.hawaii.gov click “Business Registration”
13	Campaign Spending Commission	http://ags.hawaii.gov/campaign/
14	Internal Revenue Service	http://www.irs.gov/
(Please note: website addresses may change from time to time. If a State link is not active, try the State of Hawaii website at http://hawaii.gov)		

1.3 Authority

This RFP is issued under the provisions of the Hawaii Revised Statutes, Chapter 103F and its administrative rules. All prospective applicants are charged with presumptive knowledge of all requirements of the cited authorities. Submission of a valid executed proposal by any prospective applicant shall constitute admission of such knowledge on the part of the prospective applicant.

1.4 RFP Organization

This RFP is organized into five sections:

SECTION ONE: Administrative Overview--Provides applicants with an overview of the procurement process.

SECTION TWO: Service Specifications--Provides applicants with a general description of the tasks to be performed, delineates applicant responsibilities, and defines deliverables (as applicable).

SECTION THREE: Proposal Application--Describes the required format and content for the proposal application.

SECTION FOUR: Proposal Evaluation--Describes how proposals will be evaluated by the Judiciary.

SECTION FIVE: Attachments --Provides applicants with information and forms necessary to complete the application.

1.5 Contracting Office

The Contracting Office is responsible for receiving and for the execution of the contract(s) resulting from this RFP. The Contracting Office is:

The Judiciary, State of Hawaii
Financial Services Division
Contracts and Purchasing Office
1111 Alakea Street, 6th Floor
Honolulu, HI 96813-2807
Phone: (808)538-5805 Fax: (808) 538-5802
Email: Tritia.L.Cruz@courts.hawaii.gov

1.6 Orientation

Orientation meetings for applicants will be held on the dates, at the locations and times indicated in the "Notice of Request for Proposals" on pages ii thru iii of this RFP.

Applicants attending the orientation should bring their RFP packets with them. Applicants are encouraged to submit written questions prior to the orientation. Impromptu questions will be permitted

and spontaneous answers provided at the orientation at the Judiciary's discretion. Verbal answers provided at the orientation are only intended as general direction and may not represent the Judiciary's position. Formal official responses will be provided in writing. To ensure a written response from the Judiciary, any questions should be submitted in writing following the close of the orientation, but no later than the date indicated in Section 1.1, Procurement Timetable, in order to generate a written Judiciary response.

1.7 Submission of Questions

Applicants may submit questions to the RFP Contact Person identified in the Service Specifications in SECTION TWO of this RFP. The deadline for submission of written questions and to receive written responses from the Judiciary to those questions are indicated in Section 1.1 - Procurement Timetable.

1.8 Confidentiality of Personal Information

Act 10 relating to personal information was enacted in the 2008 special legislative session. As a result, the Attorney General's General Conditions of Form AG Form 103F, *Confidentiality of Personal Information*, has been amended to include Section 8, regarding protection of the use and disclosure of personal information administered by the agencies and given to third parties.

1.9 Submission of Proposals

1.9.1 Forms/Formats

Forms, with the exception of program specific requirements, may be found on the State Procurement Office website at: www.spo.hawaii.gov, click *Procurement of Health and Human Services* and *For Private Providers*. Please refer to the Proposal Application Checklist (SECTION FIVE, ATTACHMENT A) for the location of program for information on: 1) where to obtain the forms/instructions; 2) additional program specific requirements; and 3) the order in which all components of the application should be assembled and submitted to the Judiciary. Proposals must contain the following components:

- (1) **Proposal Application Identification Form (Form SPO-H-200)** - Provides identification of the proposal. **Although a hard copy Judiciary Proposal Application Identification Form is included in Attachment B of this RFP, applicants may use the form available (and writeable) on the SPO website.**
- (2) **Proposal Application Check List** – Provides applicants with information on where to obtain the required forms; information on program specific requirements; which forms are required and the order in which all components should be assembled and submitted to the Judiciary.
- (3) **Table of Contents** - A sample table of contents for proposals is located in SECTION FIVE: ATTACHMENT B. This is sample and meant as a guide. The table of contents may vary depending on the RFP.
- (4) **Proposal Application (Form SPO-H-200A)** - A sample application showing the format of the application headings is located in SECTION FIVE, ATTACHMENT B. Applicant shall submit comprehensive narratives that addresses all of the issues

contained in the Proposal Application Instructions, including a cost proposal/budget if required. (Refer to Section 3 of this RFP)

- 1.9.2 Program Specific Requirements** - Additional program specific requirements are included in SECTION TWO, Service Specifications, and/or SECTION THREE, Proposal Application, as applicable. If Federal and/or State certifications are required, they are listed on the Proposal Application Checklist located in Section 5.
- 1.9.3 Multiple or alternate proposals** - Multiple or alternate proposals shall **not** be accepted unless specifically provided for in SECTION TWO of this RFP. In the event alternate proposals are **not** accepted and an applicant submits alternate proposals, but clearly indicates a primary proposal, it shall be considered for an award as though it were the only proposal submitted by the applicant.
- 1.9.4 Provider Compliance.** All providers shall comply with all laws governing entities doing business in the State.
- **Tax Clearance.** Pursuant to HRS §103-53, as a prerequisite to entering into contracts of \$25,000 or more, providers are required to have a tax clearance from the Hawaii State Department of Taxation (DOTAX) and the Internal Revenue Service (IRS). Refer to Section 1.2, Website Reference for DOTAX and IRS website address.
 - **Labor Law Compliance.** Pursuant to HRS §103-55, providers shall be in compliance with all applicable laws of the federal and state governments relating to workers' compensation, unemployment compensation, payment of wages, and safety. Refer to Section 1.2, Website Reference for the Department of Labor and Industrial Relations (DLIR) website address.
 - **Business Registration.** Prior to contracting, owners of all forms of business doing business in the state except sole proprietorships, charitable organizations, unincorporated associations and foreign insurance companies shall be registered and in good standing with the Department of Commerce and Consumer Affairs (DCCA), Business Registration Division. Foreign insurance companies must register with DCCA, Insurance Division. More information is on the DCCA website. Refer to Section 1.2, Website Reference for DCCA website address.

Providers may register with Hawaii Compliance Express (HCE) for online compliance verification from the DOTAX, IRS, DLIR, and DCCA. There is a nominal annual registration fee for the service. The HCE's online "Certificate of Vendor Compliance" provides the registered provider's current compliance status as of the issuance date, and is accepted for both contracting and final payment purposes. Refer to Section 1.2, Website Reference, for HCE's website address.

Providers not utilizing the HCE to demonstrate compliance shall provide paper certificates to the purchasing agency. All applications for applicable clearances are the responsibility of the providers. All certificates must be valid on the date it is received by the purchasing agency. The tax clearance certificate shall have an original green certified copy stamp and shall be valid for six months from the most recent approval stamp date on the certificate. The DLIR certificate is valid for six months from the date of issue. The DCCA certificate of good standing is valid for

six months from date of issue.

- 1.9.5 Wages Law Compliance** - If applicable, by submitting a proposal, the applicant certifies that the applicant is in compliance with HRS §103-55, Wages, hours, and working conditions of employees of contractors performing services. Refer to Section 1.2, Website Reference for statutes and DLIR website address.
- 1.9.6 Campaign Contributions by State and County Contractors** - HRS §11-355 prohibits campaign contributions from certain State or county government contractors during the term of the contract if the contractors are paid with funds appropriated by a legislative body. Refer to Section 1.2, Website Reference for statutes and Campaign Spending Commission website address.
- 1.9.7 Confidential Information** - If an applicant believes any portion of a proposal contains information that should be withheld as confidential, the applicant shall request in writing non-disclosure of designated proprietary data to be confidential and provide justification to support confidentiality. Such data shall accompany the proposal, be clearly marked, and shall be readily separable from the proposal to facilitate eventual public inspection of the non-confidential sections of the proposal.

Note that price is not considered confidential and will not be withheld.

- 1.9.8 Proposal Submittal** - All mail-ins shall be postmarked by the United States Postal System (USPS) and received by the Judiciary Contracts & Purchasing Office no later than the submittal deadline indicated in Section 1.1 - Procurement Timetable. All hand deliveries shall be received by the Judiciary Contracts & Purchasing Office by the date and time designated in Section 1.1 - Procurement Timetable. Proposals shall be rejected when:
- (1) Postmarked after the designated date; or
 - (2) Postmarked by the designated date but not received within 10 days from the submittal deadline; or
 - (3) If hand delivered, received after the designated date and time.

Deliveries by private mail services such as FEDEX shall be considered hand deliveries and shall be rejected if received after the submittal deadline. Dated USPS shipping labels are not considered postmarks.

Proposals on CD - As an option to submitting hard copies (orig. + 3) of your entire proposal, proposals may be submitted on CD (4 copies of CD) in Adobe's pdf format along with hard copies of the Proposal Application Identification Form (See SECTION FIVE: ATTACHMENT B, Form SPO-H-200).

1.10 Discussions with Applicants

- 1.10.1 Prior to Submittal Deadline** - Discussions may be conducted with potential applicants to promote understanding of the purchasing agency's requirements.
- 1.10.2 After Proposal Submittal Deadline** - Discussions may be conducted with applicants whose proposals are determined to be reasonably susceptible of being selected for an award, but proposals may be accepted without discussions, in accordance with the administrative rules (Section 3-143-403, HAR.).

1.11 Opening of Proposals

Upon receipt of proposal by The Judiciary at a designated location, proposals, modifications to proposals, and withdrawals of proposals shall be date-stamped, and when possible, time stamped. All documents so received shall be held in a secure place by the Judiciary and not examined for evaluation purposes until the submittal deadline.

Procurement files shall be open to public inspection after a contract has been awarded and executed by all parties.

1.12 Additional Materials and Documentation

Upon request from the Judiciary, each applicant shall submit any additional materials and documentation reasonably required by the Judiciary in its evaluation of the proposals.

1.13 RFP Amendments

The Judiciary reserves the right to amend this RFP at any time prior to the closing date for the final revised proposals.

1.14 Final Revised Proposals

The applicant's final revised proposal, *as applicable* to this RFP, must be postmarked or hand delivered by the proposal submittal deadline indicated in Section 1.1 - Procurement Time Table above. Any final revised proposal postmarked or received after the designated date and time shall be rejected. If a final revised proposal is not submitted, the previous submittal shall be construed as the applicant's best and final offer/proposal. *Only the section(s) of the proposal that are amended shall be submitted by the applicant, along with the Proposal Application Identification Form (SPO-H-200).* After final revised proposals are received, final evaluations will be conducted for an award.

1.15 Cancellation of Request for Proposal

The request for proposal may be canceled and any or all proposals may be rejected in whole or in part, when it is determined to be in the best interests of the Judiciary.

1.16 Costs for Proposal Preparation

Any costs incurred by applicants in preparing or submitting a proposal are the applicants' sole responsibility.

1.17 Provider Participation in Planning

Provider participation in the Judiciary's efforts to plan for or to purchase health and human services prior to the Judiciary's release of a request for proposals, including the sharing of information on community needs, best practices, and providers' resources, shall not disqualify providers from submitting proposals if conducted in accordance with sections 3-142-202, 3-142-203 and 3-143-618 of the Hawaii Administrative Rules for Chapter 103F, HRS.

1.18 Rejection of Proposals

The Judiciary reserves the right to consider as acceptable only those proposals submitted in accordance with all requirements set forth in this RFP and which demonstrate an understanding of the problems involved and comply with the service specifications. Any proposal offering any other set of terms and conditions contradictory to those included in this RFP may be rejected without further notice.

A proposal may be automatically rejected for any one or more of the following reasons: (Relevant sections of the Hawaii Administrative Rules for Chapter 103F, HRS are parenthesized.)

- A. Rejection for failure to cooperate or deal in good faith. (Section 3-141-201)
- B. Rejection for inadequate accounting system. (Section 3-141-202)
- C. Late proposals. (Section 3-143-603)
- D. Inadequate response to request for proposals. (Section 3-143-609)
- E. Proposal not responsive. (Section 3-143-610(a) (1))
- F. Applicant not responsible. (Section 3-143-610(a) (2))

1.19 Notice of Award

A statement of findings and decision shall be provided to all applicants by mail upon completion of the evaluation of competitive purchase of service proposals.

Any agreement arising out of this solicitation is subject to the approval of the Judiciary's Staff Attorney as to form.

No work is to be undertaken by the awardee prior to the contract commencement date. The Judiciary is not liable for any costs incurred prior to the official starting date.

1.20 Proposals and Awards

In accordance with Act 69, Session Laws of Hawaii 2010, HRS Chapter 103F has been amended by adding a new section as follows:

(a) No contract proposals shall be accepted from any applicant who lacks any license necessary to conduct the business being sought by the request for proposals. This section prohibits contract proposals from being accepted from any applicant, who lacks any license necessary to conduct the business being sought by the RFP. If a provider is required to be licensed, accredited, or certified to perform the services being solicited under the RFP, the proposal shall include written verification or proof from the State of Hawaii, Department of Commerce and Consumer Affairs, or from the appropriate licensing, accrediting, or certifying body, of an active license, or of current accreditation or certification. Proposals submitted by an applicant, who lacks the necessary licensure, accreditation, or certification, will be rejected and not evaluated. A provider who enters into a contract with the Judiciary shall maintain the necessary license, accreditation, or certification, in good standing for the duration of

the contract period; a failure to maintain the necessary credentials may be grounds for termination of the contract by the Judiciary.

(b) Proposals submitted under this chapter shall include all costs, fees, and taxes, and any award or contract shall be for the amount of the proposal. No award or contract shall include any other payment, rebate, or direct or indirect consideration that is not included in the proposal, such as insurance premium or general excise tax rebates to or waivers for an applicant or bidder. The amount of a contract or award shall be negotiated by the parties based on the cost items presented in the applicant's proposal. The contract amount may not be greater than the negotiated contract cost, except as subsequently agreed to under an amendment or extension of the contract.

The contract amount may be adjusted during the term of the contract based upon availability of funds and pursuant to applicable statutes, or as provided for in this Request for Proposals:

1. The contract amount may be increased, subject to negotiation, if there is a change in the scope of service such as reinstatement of prior scheduled services, extending the hours of service, increasing the number of referrals, increasing the number of groups and individual sessions per client, expansion of services, etc., provided that the provider shall submit a revised scope of service in support of the adjustment.
2. The contract amount may be decreased, subject to negotiation, if there is a change in the scope of service such as reduction of prior scheduled services, reducing the hours of service, decreasing the number of referrals, decreasing the number of groups and individual sessions per client, reduction of services, etc., provided that the provider shall submit a revised scope of service in support of the adjustment.

In the case of cost reimbursement contracts, the contract costs are subject to adjustment by the Judiciary, based upon availability of funds and pursuant to applicable statutes, or as agreed upon during the term of the contract. Cost adjustments shall be permitted as follows:

1. The contract amount may be increased, subject to negotiation, if there is a change in the scope of service such as reinstatement of prior scheduled services, extending the hours of service, increasing the number of referrals, increasing the number of groups and individual sessions per client, expansion of services, etc., provided that the provider shall submit a revised scope of service in support of the adjustment.
2. The contract amount may be decreased, subject to negotiation, if there is a change in the scope of service such as reduction of prior scheduled services, reducing the hours of service, decreasing the number of referrals, decreasing the number of groups and individual sessions per client, reduction of services, etc., provided that the provider shall submit a revised scope of service in support of the adjustment.

By submitting a proposal in response to this RFP, the applicant agrees to all of the provisions, terms, and conditions contained in the RFP.

1.21 Protests

Pursuant to HRS §103F-501 and HAR Chapter 148, an applicant aggrieved by an award of a contract may file a protest. The Notice of Protest form, SPOH-801, and related forms are available on the SPO

website. Refer to Section 1.2, Website Reference for website address. Only the following matters may be protested:

- (1) A state purchasing agency's failure to follow procedures established by Chapter 103F of the Hawaii Revised Statutes;
- (2) A state purchasing agency's failure to follow any rule established by Chapter 103F of the Hawaii Revised Statutes; and
- (3) A state purchasing agency's failure to follow any procedure, requirement, or evaluation criterion in a request for proposals issued by the state purchasing agency.

The Notice of Protest shall be postmarked by USPS or hand delivered to 1) the head of the state purchasing agency conducting the protested procurement and 2) the procurement officer who is conducting the procurement (as indicated below) within five working days of the postmark of the Notice of Findings and Decision sent to the protestor. Delivery services other than USPS shall be considered hand deliveries and considered submitted on the date of actual receipt by the state purchasing agency.

- A. Lori Okita
Chief Court Administrator, First Circuit
Ka'ahumanu Hale
777 Punchbowl Street
Honolulu, HI 96813-5093
- B. Sandy Kozaki
Chief Court Administrator, Second Circuit
Hoapili Hale
2145 Main Street
Wailuku, HI 96793-1679
- C. Lester Oshiro
Chief Court Administrator, Third Circuit
Hale Kaulike
777 Kilauea Avenue
Hilo, HI 96720
- D. David Lam
Chief Court Administrator, Fifth Circuit
Kauai Judiciary Complex
3970 Kaana Street, Suite 301
Lihue, HI 96766-1283
- E. Cecelia Chang
Director, Center for Alternative Dispute Resolution
417 S. King St. Room 207
Honolulu, HI 96813

F. Susan Gochros
Department Head, Intergovernmental and Community Relations
417 S. King St. Room 209
Honolulu, HI 96813

Questions regarding protests may be directed to the applicable procurement officer, identified as the programmatic contact person for the service specifications described in SECTION TWO of this RFP.

1.22 Availability of Funds

The award of a contract and any allowed renewal or extension thereof is subject to allotments to be made by the Administrative Director of the Courts and subject to the availability of State and/or Federal funds.

1.23 Monitoring and Evaluation

The criteria by which the performance of the contract will be monitored and evaluated are:

- A. Performance/Outcome Measures
- B. Output Measures
- C. Quality of Care/Quality of Services
- D. Financial Management
- E. Administrative Requirements

1.24 General and Special Conditions of Contract

The general conditions that will be imposed contractually are attached (See SECTION FIVE, ATTACHMENT C). Special conditions may also be imposed contractually by the Judiciary, as deemed necessary.

1.25 Cost Principles

To promote uniform purchasing practices among state purchasing agencies procuring health and human services under HRS Chapter 103F, state purchasing agencies will utilize standard cost principles as outlined on the SPO website. Refer to Section 1.2 Website Reference for website address. Nothing in this section shall be construed to create an exemption from any cost principle arising under federal law.

END OF SECTION ONE

SECTION TWO

SERVICE SPECIFICATIONS

SECTION TWO – SERVICE SPECIFICATIONS

2.0.1 Introduction

A. Background

The Judiciary, State of Hawaii, provides support, intervention, and/or rehabilitative services to juveniles, adults and families through its Adult Client Services (aka Adult Probation Divisions), Juvenile Client and Family Services (aka Family Courts), Children's Justice Centers, and Drug Courts in each judicial circuit. It also provides mediation services through its Center for Alternative Resolution. In carrying out their goals for these areas, all circuits utilize community resources on a purchase Health and Human Services basis.

The following provides the specifications for organizations wishing to provide services to the Judiciary for the period July 1, 2015 through June 30, 2019. Upon evaluation and acceptance of proposals, when practicable and upon mutual agreement, contracts may be negotiated on a statewide basis, making services available to children, youth, adults and families in all circuits. **The initial contract term will be for the period July 1, 2019 through June 30, 2021, and may be extended for the period July 1, 2021 through June 30, 2023.**

1. Juvenile Services

The Family Courts in Hawaii believe that there is promise in all youth and families who are involved in our system. Beginning with the Juvenile Detention Alternative Initiative (JDAI) in 2009, juvenile justice reform efforts have been underway for several years in Hawaii, using current research and information on best practices for justice involved youth and their families. Holding youth accountable for their actions is important. In doing so, we must also increase community capacity to provide youth opportunities to heal, develop pro-social skills, and build on their strengths.

Research shows the unnecessary use of detention/incarceration to be harmful to youth. Through collaborative community effort there has been a reduction in the use of detention and incarceration for non-violent youth in Hawaii, without an increase in youth crime, demonstrating that community safety has not been compromised. Efforts to create meaningful alternatives to detention are ongoing and continue to be needed.

Most youth in our juvenile justice system are non-violent offenders who are best served in the community. Recent studies have found that youth who do not pose a public safety risk have better outcomes in nonresidential programs using evidence based practices, close to their own neighborhoods, and integrated into generally pro-social groups (U.S Attorney General. National Task Force on Children Exposed to Violence: Rethinking Our Juvenile Justice System, December 2012). By connecting justice involved youth with their communities, while holding them accountable for their behavior, we hope to divert them from deeper involvement in the justice system, and thereby promote better long-term life outcomes. Youth involved in the deeper end of the justice system tend to have poorer outcomes.

The federal Office of Juvenile Justice and Delinquency Prevention (OJJDP) reports a meta-analysis of community-based programs found that effective programs: 1) concentrate on changing behavior and improving prosocial skills, 2) focus on problem solving with both juveniles and their families, 3) have multiple modes of intervention, and 4) are highly structured and intensive.

We know and understand that exposure to violence and trauma is pervasive in the population we serve. Compelling research conducted in the past twenty years informs us that trauma is more prevalent than previously known, and that complex and multiple exposure to traumatic events is closely linked to detrimental medical, psychological, and social outcomes. Research on brain development now reveals that the human brain is not fully developed until a person is in their mid twenties, and that exposure to childhood traumatic violence can delay and derail brain development. Fortunately youth are resilient and evidence based effective treatments and approaches have been developed. People heal and transformation occurs. In order for this to happen, environments conducive to healing, and people committed to being part of the healing process are needed. The courts cannot do this alone and need the support of our community.

The Judiciary is seeking qualified community providers to be part of our reform efforts, by creating places of healing for youth and families, through a continuum of care, using evidence based practices. Consideration will be given to proposals that reflect an alignment with:

- **JDAI:** Juvenile Detention Alternatives Initiative (JDAI): provides the framework for Hawaii's juvenile justice reform effort. JDAI is driven by a vision that seeks to change the odds for court-involved youth, and increases their chances of growing out of their delinquent behavior and leading productive lives. If juvenile justice reform can improve the life chances of court-involved youth, then we all benefit. Public safety will be

improved, families will remain intact, and fewer tax payer dollars will be spent on secure confinement and corrections. For more information on JDAI go to jdaihelpdesk.org

- **Family Strengthening Youth Development:** Family involvement in juvenile justice is a central principle of Hawaii's juvenile justice system reform. Research shows that family strengthening programs can curb crime and delinquency, and that family-focused approaches have demonstrated outcomes that are positive and enduring. The family strengthening youth development framework presents an evolution of positive youth development approaches that recognizes the importance of grounding work with youth within the context of family and community. Its basic premises include; the family plays a critical role in youth development and various community resources are needed to assist the family as it endeavors to provide supports and opportunities for its young people. Proposals need to include strategies to outreach, engage, and involve parents/caregivers.
- **Trauma Informed Care:** The Substance Abuse and Mental Health Services Administration (SAMHSA) defines a trauma informed organization as: A program, organization, or system that is trauma-informed realizes the widespread impact of trauma and understands potential paths for healing; recognizes the signs and symptoms of trauma in staff, clients, and others involved with the system; and responds by fully integrating knowledge about trauma into policies, procedures, practices, and settings.
- **Prison Rape Elimination Act (PREA):** The PREA prohibits sexual violence and abuse in all custodial correctional facilities operated by Federal, State or local governments and their contracted providers of residential services. It also established a set of standards to prevent, reduce, and sanction sexual violence in a custodial and/or residential setting. All organizations providing residential services to court involved youth must demonstrate a commitment to be compliant with the PREA Juvenile Facility Standards. The standards are available at: <https://www.bja.gov/Programs/PREA-JuvenileFacilityStandards.pdf>
- **Motivational Interviewing (MI):** Prospective youth serving agencies should be familiar with and practice MI skills in their interaction with youth. MI is a collaborative, goal-oriented method of communication that pays attention to the language of change. It is designed to strengthen personal motivation and commitment to a specific goal by eliciting and exploring one's reasons for change within an environment of acceptance and compassion (Miller and Rolnick, 2012). Enhancing behavioral change through MI is vital to our juvenile justice reform efforts. It is recognized as an evidence based practice by the National Institute of

Corrections and SAMHSA. MI is recognized for its ability to lessen resistance, increase offender motivation, and promote positive behavioral change.

- **Lesbian, Gay, Bisexual, Transgender, or Questioning (LGBTQ)**
Support: Providers must demonstrate an understanding of the factors contributing to the disproportionate numbers of LGBTQ youth in the system and adopt policies to improve the quality of care provided to these youth. Like all young people, they have the right to be safe and protected. Environments of care must be safe, accepting, and affirming for all youth
- **Cultural and Linguistic Competency:** The extent to which services and treatments are culturally sensitive may determine a youth and family's acceptance or rejection of those services. Culturally sensitive services need to be individually tailored with voice and input from the youth and family. Service providers must be conscious of the dynamics involved when cultures interact and must have strategies to effectively communicate with a diverse client population.
- **Gender Responsive Services:** Prospective providers should demonstrate an understanding of gender responsive principles as it applies to youth they propose to serve. In Hawaii and nationally, there is a growing number of justice involved girls. Proposals should include a description of gender responsive considerations for services that will be provided.

Commitment to Professional Development: Prospective providers shall support and demonstrate an understanding of our juvenile justice reform efforts as it relates to the youth we service. Providers shall commit to ensure their staff are provided the necessary training needed to effectively work with our juvenile justice population.

B. Purpose or Need

The Judiciary purchases services in compliance with statutory mandates and orders from the courts. The greater public purpose in obtaining the services is to: enhance public and victim safety; provide rehabilitative or intervention services to offenders; promote the welfare of families and children by protecting them from physical and psychological harm; and maintain a judicial process that helps to reduce the courts' workload while promoting fairness and prompt action.

Planning activities related to this RFP involved the issuance of Requests for Information (RFI). Tentative specifications and funding allocations were included with the RFIs, and comments and inputs on aspects of the specifications, such as objectives, target group(s), services and costs, were welcomed. Meetings and discussions were also offered. The views of

service recipients and community organizations were considered on conditions affecting the achievement of mandated goals.

Note: The following segment contains the program specifications for the requested services.

2.0.2 Description and Location of Services

Service Specification Number	Service Specification Code	Description of Service	1 st Circuit (Oahu)	2 nd Circuit (Maui, Molokai, Lanai)	3 rd Circuit (Hawaii)	5 th Circuit (Kauai)
		Adult Client Services				
2.1	ACSA	Adult Substance Abuse Treatment Services	X	X	X	X
2.2	ACSO	Sex Offender Assessment/Treatment	X	X	X	X
2.3	ACSDV	Domestic Violence Intervention Services	X			
2.4	ACFS3IC	In-Community (Hawaii)			X	
		Juvenile Client and Family Services				
2.5	JCFDVI	Domestic Violence Intervention Services		X		X
2.6	JCFRS	Residential Services	X	X	X	X
2.7	JCFSO	Sex Offender Treatment Services	X	X	X	X
2.8	JCFSS	Shelter Services	X	X	X	X
2.9	JC1MED	Medical Services	X			
2.10	JC125SA	Substance Abuse Treatment Services	X	X		X
2.11	JC15IC	In-Community Services	X			X
2.12	JC2IC	In-Community Services		X		
2.13	JC35TC	In-Community Services (Teen Court)			X	X
2.14	GC1IC	In-Community Services (Oahu Girls Court)	X			
2.15	GC2IC	In-Community Services (Maui Girls Court)		X		
2.16	JC1MHA	Mental Health Assessment	X			
		Drug Courts				
2.17	DR135	(For Drug Court service in 1 st , 3 rd (adults only) and 5 th Circuits, refer to above Adult Client Services and Juvenile Client & Family Services sections)	X		X (Adults only)	X
2.18	DR2FCDC	Family Court Drug Court		X		
2.19	DR2MDC	Maui Drug Court		X		
2.20	DR3JRS	Big Island Drug Court, Juvenile Residential Services			X	
2.21	DR3JSA	Big Island Drug Court, Juvenile Substance Abuse Treatment Services			X	
2.22	DR3JSS	Big Island Drug Court, Juvenile Shelter Services			X	
		Administrative Director Services				
2.23	ADRMS	Mediation and Related Dispute Resolution Services	X		X	

ADULT CLIENT SERVICES

2.1 SVC SPEC TITLE: Adult Client Services ACSA – Adult Substance Abuse Treatment Services

2.1.1 Introduction

A & B. – (SEE SECTION 2.0.1)

C. Description of the goals of the service

The goals of the requested service are: (1) To provide a comprehensive evidence-based, offender-oriented, continuum of substance abuse treatment services to adults with alcohol/and other drug problems, who are ordered or directed by the court to obtain treatment; and, (2) the goal of treatment will be to assist adult offenders, abusing or addicted to alcohol and/or other drugs with the acquisition and demonstration of effective strategies, skills and knowledge which will result in long-term abstinence and a reduction of their re-offending behaviors. The continuum includes Substance Abuse Assessment; Substance Abuse Education; Pre-Treatment/Motivational Enhancement Services; Outpatient, Intensive Outpatient, Day and Residential Treatment and Therapeutic Living Program treatment modalities.

D. Description of the target population to be served

The target population includes adult offenders and other adults referred to the Judiciary, age 18 or older, male and female, supervised by the Adult Client Services Branches in all circuits of the Judiciary and/or under the auspices of the Judiciary's drug and other specialty court programs. The target population will include, but shall not be limited to pregnant/parenting women with alcohol and/or other drug related problems and offenders with co-occurring disorders.

E. Geographic coverage of service

Service areas include the following:

First Circuit	Island of Oahu
Second Circuit	Islands of Maui, Lanai and Molokai
Third Circuit	Island of Hawaii
Fifth Circuit	Island of Kauai

The applicant shall demonstrate actual capacity to provide the required services in the service areas for which it is applying.

Applicants may propose to service clients in one or more geographic areas. Applicants shall submit separate proposals for each circuit/island.

F. Probable funding amounts, source and period of availability

Probable funding amounts:

<u>FY 2020</u>	<u>FY 2021</u>	<u>FY 2022</u>	<u>FY 2023</u>
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Probable funding amounts are not being stated at this time. Applicants shall propose funding amounts based on their best estimates for the cost of providing the services as described in the proposal.

Funding sources: State General Funds
 Federal Grants
 State Special Funds

Period of availability: The Judiciary intends to award multi-term contracts. The aggregate term of the contract shall not exceed four (4) years, e.g., July 1, 2019 to June 30, 2023, subject to the appropriation and availability of funds, the fiscal soundness of the Applicant, and the Applicant's history with contract service performance. All State funds are contingent on appropriation, and all Federal funds are contingent on the awarding of grant applications. Funds are available for only the initial term of the contract which is for two (2) years.

A.1.2 General Requirements

A. Specific qualifications or requirements, including but not limited to licensure or accreditation

1. The Applicant shall have licenses and certificates, as applicable, in accordance with federal, state and county regulations, and comply with all applicable Hawaii Administrative Rules.
 - a. Residential programs must meet the requirements of the State of Hawaii, Department of Health's (DOH) Administrative Rules: Title 11, Chapter 98, pertaining to Special Treatment Facility. Programs must have a Special Treatment Facility license at the time of application and abide by applicable administrative rules governing accreditation of substance abuse treatment programs.
 - b. Therapeutic Living programs must meet the requirements of the State of Hawaii, DOH's Administrative Rules: Title 11, Chapter 98, pertaining to Special Treatment Facility as it pertains to Therapeutic Living. Programs must have an appropriate license to operate from the DOH, Office of Health Care Assurance (OHCA).
 - c. All applicants shall comply with the State of Hawaii, DOH's Administrative Rules: Title 11, Chapter 175, pertaining to Mental Health and Substance Abuse Systems.

- d. The proposed services must meet all required state licensing or certification standards, provide assurances for fair hearing and grievance procedures for clientele, civil rights compliance, information safeguarding practices, and provide proof of insurance coverage and identification as applicable.
2. For this service specification, please submit six (6) sets (original plus 5 copies) of your completed proposal to the Financial Services Division.
3. The Applicant shall submit in a timely manner upon request by the Judiciary, any additional information needed by the Judiciary to make a decision on the Applicant's proposal. The Judiciary may request an oral discussion or presentation in support of the proposal. On site visits may be made.
4. The Applicant shall comply with the Chapter 103F, HRS Cost Principles for Purchase of Health and Human Services identified in SPO-H-201 (Effective 10/01/98) which can be found on the SPO website (See Section 5, Proposal Application Checklist, for the website address).
5. The Applicant shall have an accounting system in compliance with generally acceptable accounting principles.

B. Secondary Purchaser participation
(Refer to §3-143-608, HAR)

After-the-fact Secondary Purchases will be allowed.

C. Multiple or alternate proposals
(Refer to §3-143-605, HAR)

☐ Allowed ☒ Not allowed

D. Single or multiple contracts to be awarded
(Refer to §3-143-206, HAR)

☐ Single ☐ Multiple ☒ Single & Multiple

Multiple contracts may be awarded if such awards are deemed to be in the best interest of the Judiciary, and will be based on the highest ranked proposals.

E. Single or multi-term contracts to be awarded
(Refer to §3-149-302, HAR)

☐ Single term (<2 years) ☒ Multi-term (>2 years)

A multi-term contract will be awarded if such awards are deemed to be in the best

interests of the Judiciary. The initial term of the contract shall be for two (2) years. Funds are available for only the initial term of the contract. The contract may be extended for another two (2) years, subject to appropriation and availability of funds and the satisfactory performance of services by the provider. Execution of a contract amendment is required to extend the contract for another term. The aggregate term of the contract shall not exceed four (4) years, e.g. July 1, 2019 to June 30, 2023. If it is determined that a multi-term contract is not in the best interest of the Judiciary, a single term contract will be awarded.

F. RFP Contact persons

The individuals listed below are the points of contact from the date of release of this RFP until the selection of the winning provider or providers. Written questions should be submitted to the RFP contact person(s) and received on or before the day and time specified in Section 1.1 (Procurement Timetable) of this RFP.

For technical questions related to the Request for Proposals process, please call the following individual:

Judiciary Contracts and Purchasing Office
Tritia Cruz at (808) 538-5805 Fax: (808) 538-5802
Email: Tritia.L.Cruz@courts.hawaii.gov

If you have any programmatic questions regarding the requested services, please call the following individuals:

Oahu	Adult Client Services, First Circuit Kathi Fujii at (808) 539-4510 Fax: (808) 539-4559 Kathi.K.Fujii@courts.hawaii.gov
Maui:	Client Services Division, Second Circuit David Ortiz at (808) 244-2792 Fax: (808) 244-2870 David.K.Ortiz@courts.hawaii.gov
Hawaii:	Family Court, Third Circuit Aolani Mills at (808) 322-8726 Fax: (808) 961-7671 Aolani.M.Mills@courts.hawaii.gov
	Drug Court, Third Circuit Grayson Hashida at (808) 443-2201 Fax: (808) 443-2222 Grayson.K.Hashida@courts.hawaii.gov
Kauai:	Drug Court, Fifth Circuit Martin Steinhaus at (808) 482-2435 Fax: (808) 482-2544 Martin.A.Steinhaus@courts.hawaii.gov

2.1.3 Scope of Work

The scope of work encompasses the following tasks and responsibilities:

A. Service Activities (Minimum and/or mandatory tasks and responsibilities)

1. Applicants will provide a comprehensive continuum of evidence-based offender-oriented treatment services to include Substance Abuse Assessments; Substance Abuse Education; Pre-Treatment/Motivational Enhancement Services; Outpatient, Intensive Outpatient, Day and Residential Treatment; Continuing/Aftercare and Therapeutic Living Program treatment modalities, to adults with alcohol and/or other drug related problems who are ordered or directed by the court to obtain such services. Applicants may propose the whole continuum or any part of the continuum.
 - a. Substance Abuse Assessments – Substance abuse assessments shall be completed or reviewed/approved by certified substance abuse counselors, program administrators certified pursuant to Section 321-193 (10), Hawaii Revised Statutes; or individuals who hold an advanced degree in a behavioral health science. Assessments shall be completed to determine the need for substance abuse treatment and provide a recommended level of service. Assessments will take into consideration client history of substance use; bio-medical conditions and complications; emotional, behavioral or cognitive conditions and complications; readiness to change; relapse, continued use or continued problem potential and recovery/living environment. If the client is incarcerated at the time of application, the Applicant shall conduct the assessment in the institution(s) within their circuit, i.e., the state Community Correctional Center or Federal Detention Center. The Applicant must use a standardized substance abuse assessment application form as approved by the Judiciary. Assessments shall apply Diagnostic and Statistical Manual and the American Society of Addiction Medicine Patient Placement Criteria.
 - b. Assessments for First-Time Drug Offender (Act 44/2004 Legislature or HRS 706-622.5) – Substance abuse assessments by certified substance abuse counselors shall be completed to determine the need for substance abuse treatment and shall provide a recommendation for services/treatment. The Diagnostic and Statistical Manual, Addiction Severity Index and the American Society of Addiction Medicine Patient Placement Criteria shall be applied to the assessment. These assessments shall be used for sentencing. If the client is incarcerated at the time of the referral, the Applicant shall conduct the assessment in the institution, i.e., the state Community Correctional Center or Federal Detention Center.
 - c. Substance Abuse Education – Substance Abuse Education shall

provide clients with information pertaining to the pharmacology of substance abuse, lifestyle consequences, emotions management, coping skills and problem-solving training using cognitive behavioral techniques, treatment process, relapse prevention and abstinence maintenance training.

- d. Pre-treatment/Motivational Enhancement Services – Pre-Treatment or Motivational Enhancement Services shall provide curriculum-based activities; cognitive-behavioral strategies to challenge thoughts, attitudes and beliefs; motivational interviewing techniques; goal setting; skill development; and establishing commitment to change behavior.

- e. Outpatient Treatment – An Outpatient Treatment Program shall provide non-residential comprehensive specialized services on a scheduled basis for clients with substance abuse problems. Professionally directed evaluation, treatment, case management, and recovery services shall be provided to clients with less problematic substance abuse related behavior than would be found in a Residential or Day treatment program.

An Outpatient Program shall provide between one (1) and eight (8) hours per client per week of face to face treatment with a minimum of one (1) individual counseling session per month.

- f. Intensive Outpatient Treatment – An Intensive Outpatient Program shall provide a minimum of nine (9) hours per week of skilled treatment services. Such treatment usually operates for at least three (3) or more hours per day for three (3) or more days per week. Services may include individual and group counseling, medication management, family therapy, educational groups, employment, occupational and recreational therapy, and other therapies. Professionally directed evaluation, treatment, case management and recovery services shall be provided.

Intensive Outpatient Programs shall provide a minimum of nine (9) hours and up to a maximum of nineteen (19) hours per client per week of face to face treatment, with a minimum of one (1) individual counseling session per client per week.

- g. Day Treatment – A Day Treatment Program shall provide treatment activities offered in half-day or full-day increments, regularly scheduled for multiple sessions throughout the week. It includes a planned regimen of comprehensive outpatient treatment including professionally directed evaluation, treatment, case management, and other ancillary and special services. This level of care provides the

offender with the opportunity to participate in a structured therapeutic program while being able to remain in the community.

Day Treatment shall provide a minimum of twenty (20) hours per week of face-to-face treatment and activities with a minimum of one (1) individual counseling session per week. The other nineteen (19) hours of face-to-face activities shall include, but not limited to group counseling, education, skill building, recreational therapy and family services.

- h. Residential Treatment – A Residential Treatment Program shall provide 24 hour per day non-medical, non acute care in a residential treatment facility that provides a planned regimen of professionally directed evaluation, treatment, case management, and other ancillary and special services. Observation, monitoring and treatment are available 24 hours a day, seven (7) days a week, with minimum of one (1) individual counseling session per week with each client.

For Second Circuit: Detox-residential services can be an additional component prior to entering residential treatment if deemed appropriate and other sources of funding is not available. This is a short-term placement used to stabilize the individual. Observation, monitoring and treatment are available 24 hours a day, seven (7) days a week, with a minimum of one (1) individual counseling session per week.

- i. Continuing Care or After-Care – Continuing Care or After-Care is an organized service that shall provide treatment reinforcement services to the client who has completed treatment. Relapse prevention and recidivism prevention shall be focused on.
- j. Therapeutic Living – A Therapeutic Living Program shall provide structured residential living to individuals who are without appropriate living alternatives and who are currently receiving substance abuse treatment in a Day, Intensive Outpatient, or Outpatient treatment program, or who have been clinically discharged from residential treatment. Therapeutic Living Programs shall provide fifteen (15) hours per week of face to face therapeutic rehabilitative activities. Activities can include, but are not limited to, needs assessment, service planning, individual and group skill building and practice, referral and linkage, employment, case management, client support and advocacy, monitoring and follow up.

The primary focus of this program is to provide the necessary support and encouragement to enable the client to complete treatment outside of a residential program, to adjust to a chemically abstinent lifestyle

and to manage activities of daily living so that the individual can move towards independent housing and life management.

For Second Circuit:

- k. Sober Living – A Sober Living Program shall provide community based living options to individuals who are without appropriate living alternatives and who are currently receiving substance abuse treatment within the community.

2. Proposals shall delineate the following:

- a. Identification of target group(s) to be serviced by the Applicant, including any applicable admissions eligibility or exclusionary criteria.
- b. Identification and brief description of the distinguishing highlights for the evidence-based treatment model(s) to be used.
- c. Justification for the selection of the evidence-based treatment model(s).
- d. For Residential and Day treatment programs, the nature and amount of time the client will be involved in structured activities per week.
- e. (1) Identification of assessment instrument(s) to be used; (2) the purpose of the instruments; and (3) how the instruments will be implemented.
- f. Identification of training(s) to be provided to staff; the frequency of the training(s); and, supervisory oversight for quality assurance.
- g. Identification, description and references for the curriculum to be used.
- h. Identification of the program targets for change.
- i. Identification of the program's completion criteria for the clinical discharge of the client.
- j. Identification of the program's termination or discharge criteria.
- k. Description and length of Continuing/Aftercare services.
- l. Identification and description of a quality assurance program that involves client care and the delivery of services, the personnel who will implement the evaluation and review, and the procedures for corrective actions for problems identified.

(For those proposing to provide more than one modality of care, please

describe how responses to the above listed items will differ, as applicable, across the continuum.)

- m. Provide evidence-based practice standards in the delivery services to include but not limited to cultural and gender appropriate services.
 - n. Incorporate the use of trauma informed care in the delivery of services.
- 3. Clients in any level of treatment shall meet the most current version of the American Society for Addiction Medicine Patient Placement Criteria (ASAM-PPC-2R) for admission, continuance and discharge and documentation shall be included in each client's clinical chart.
 - 4. The Applicant shall have the capability and capacity to conduct alcohol and drug testing that would include urine and/or blood.

The Applicant shall provide their written policies and procedures for such testing and shall describe the frequency and application of testing in treatment. Random and observed collection are required. The Applicant shall insure that chain of custody and confidentiality issues are addressed appropriately.

The Applicant shall identify instrumentation being utilized to conduct such testing and shall have the ability to do laboratory confirmation testing utilizing Gas Chromatography Mass Spectrometry or Liquid Chromatography Tandem Mass Spectrometry. Laboratories conducting such confirmation testing shall be Substance Abuse and Mental Health Services Administration and/or possess College of Addiction Pathologists – Forensic Urine Drug Testing certified. Confirmation testing at Limit of Quantitation levels is preferred.

Positive drug test results shall be reported immediately to the supervising agency/probation officer.

A summary of drug test results will be included in the required weekly and monthly reports for each client to drug and specialty courts.

- 5. Applicants shall provide written weekly progress reports for all drug or specialty court clients and/or as required by the coordinators of the respective courts. Written admission, monthly and discharge reports shall be provided to supervising probation officers. Written discharge reports shall be provided no more than ten (10) working days after a client's discharge or earlier upon request of the supervising officer, for court hearing purposes. Discharge reports shall include the dates of admission, treatment and termination; reasons for termination with explanation; discharge plans and recommendations (including recommendations for handling of client target behaviors, relapse prevention plans, possible sanctions, etc), when applicable. Applicants shall attach sample copies of report formats to be used for these

purposes.

6. Programs shall notify the supervising officer or program of any prospective major change in a client's status (i.e. potential discharge or level of care change) occurring before the scheduled reporting cycle. Program staff will participate in team meetings with the Judiciary when it is determined to be in the best interest of the client's treatment and adjustment.
7. Applicants who provide Outpatient, Intensive Outpatient, Day and Residential treatment modalities shall develop and implement appropriate transition plans for each client prior to discharge. The plan shall address transition and recovery issues and relapse prevention, and shall be forwarded to the supervising officer.
8. Applicants shall provide treatment transition assistance to the client in the event that treatment funding is terminated, i.e. referral to another program, referral back to the supervising officer, etc.

B. Management Requirements (minimum and/or mandatory requirements)

1. Personnel

- a. Applicants shall possess and document knowledge, capacity, skills and experience in working with targeted population(s). Applicants shall describe the minimum qualifications for Program Director(s). The Program Director is defined as the person responsible for the overall management of the treatment program(s). The proposal shall include educational backgrounds and experience of any current program director(s).

At a minimum, applicants shall ensure that clinical supervision over program activities is provided by certified substance abuse counselors (CSAC) or program administrators certified pursuant to Section 321-193 (10), Hawaii Revised Statutes; or hold an advanced degree in a behavioral health science, with at least one year experience working in the field of substance abuse addiction.

However, non-CSAC or non-master's level providers may be utilized as long as they are directly supervised by a CSAC or Master's level counselor, and are working toward certification.

Applicants shall describe its program for increasing clinical staff competencies in the acquisition of evidence-based, offender-oriented treatment. At a minimum, applicants shall demonstrate how direct care staff will be assisted in understanding and applying the risk-need-responsivity principles in their treatment of offenders, as well as the

stages of change, motivating the client toward change and behavioral treatment.

- b. Therapeutic Living Programs shall be provided by staff knowledgeable in substance abuse problems and experience in case management activities.
- c. The applicant shall conduct a State and Federal fingerprint-based criminal history record check for any person, including, but not limited to any officer, employee, volunteer or subcontractor, who provides care or care placement services to vulnerable clients such as children, disabled individuals, and/or the elderly, or other program related vulnerable clients. In addition, the applicant will conduct a search of the State and National Sex Offender Registries, <http://sexoffenders.ehawaii.gov> (State Sex Offender Registry) and the www.nsopr.gov (National Sex Offender Public Registry). The minimum record check will be conducted once every four years for each person, and/or at the outset of the contract period if such checks have never been conducted. Further, the applicant will ensure the continued suitability of any officer, employee, volunteer or subcontractor to work or provide services to vulnerable clients. Results of all criminal history record inquiries conducted shall be placed in the employee's or volunteer's personnel file and shall be available to Judiciary for review. The applicant further shall have a written plan for addressing any findings that result from a criminal history record check that may affect the treatment milieu (e.g. actively under the supervision of any criminal justice agency, convicted sex offenders). Prior to commencing any work or services on the contract, the applicant shall ensure that any officer, employee, volunteer or subcontractor is suitable to be performing work or services in close proximity to or with unsupervised access to children, disabled, and/or elderly clients will be of reputable and responsible character and will not pose a risk to the health, safety, security, or well-being of clients, staff and the general public.
- d. The Applicant shall submit an agency organizational chart which includes and identifies all programs that the agency /Applicant oversees/administers, inclusive of subcontractors and consultants.
- e. The Applicant shall have on the premises at least one person currently certified in First Aid and Cardiopulmonary Resuscitation (CPR).
- f. The Applicant shall maintain documentation for each employee of an initial and annual tuberculosis (TB) skin test or chest X-ray.
- g. The staff and volunteers, if used by the Applicant shall be under the

supervision of the Program Director or his/her designee(s) and shall accordingly be trained in client confidentiality issues, ethics and program quality assurance requirements.

2. Administrative

- a. The Applicant shall establish and implement policies and procedures which clearly identify the target population for each type of service, group size, program content and methods of service delivery.
- b. Court testimony by an Applicant representative shall be provided as needed.

3. Quality assurance and evaluation specifications

- a. The Applicant shall have a quality assurance plan which identifies the mission of the organization, what services will be provided, how they are delivered, who is qualified to deliver the services, who is eligible to receive the services and what standards are used to assess or evaluate the quality and utilization of services.
- b. Program evaluation should reflect the documentation of the achievement of the stated goals, using tools and measures consistent with the professional standards of the disciplines involved in the delivery of services.
- c. Applicants shall allow the Program Specialist to undergo periodic onsite visits, scheduled and unscheduled with a program assessment and/or audit designed to assess applicant's implementation of effective practices in working with offenders with substance use problems and for contract monitoring purposes. Based on the assessment/audit report, the vendor will develop in concert with the contracting agency, an action plan to address areas which need improvement. There should be at least one quality improvement activity completed annually.
- d. The Applicant shall allow the Judiciary access to all materials, files, and documents relating to the provision of services. In addition, the Judiciary may, at its discretion, observe individual, group, and educational sessions conducted by the Applicant for contract monitoring purposes.
- e. Applicants shall provide all program monitoring, assessments and/or evaluation reports completed within the last two years.

4. Output and performance/outcome measures

- a. Output: The Applicant shall record unduplicated clients served. The unduplicated count shall be recorded in the Applicants quarterly reports and aggregated Year-End Report.
- b. Outcome: The Applicant shall propose measurement tools by which effectiveness of the services may be determined, as well as utilize any which may be developed and utilized by the Judiciary.

5. Experience

- a. The Applicant must have demonstrated competence or qualifications to perform the required services.
- b. The Applicant must have a minimum of one (1) year experience in the provision of substance abuse treatment services, or in the provision of Therapeutic Living Program services for substance abuse clients. In the absence of such experience, the Applicant shall provide supporting evidence why the one (1) year requirement should be waived.
- c. The Applicant shall have a minimum of one (1) year experience in the provision of services to offenders. In the absence of such experience, the applicant will provide supporting evidence why the one (1) year requirement should be waived.

6. Coordination of Service

- a. Programs shall describe their ability to collaborate with other appropriate services, including, but not limited to, health, mental health, social, educational, vocational rehabilitation and employment services.
- b. Programs intending to provide only part of the continuum shall also have and document appropriate linkages to other services in the continuum.

7. Reporting requirements for program and fiscal data

- a. The Applicant shall submit written Quarterly and Year-End reports summarizing output and outcome data, performance accomplishments, challenges and actual expenditures of funds. Quarterly reports are due 30 days after the end of the quarter. Year end reports are due 45 days after the end of each fiscal year and/or at the end of the contract period, as applicable.
- b. Reports shall consist of a statement by the Applicant relating to the work accomplished during the reporting period and shall include

statements of the nature of the work performed, identification of persons served by the applicant during the reporting period, identification of any immediate problems encountered during the reporting period, and any recommendations deemed pertinent by the Applicant, as well as a statement of what activities are proposed to be accomplished during the next reporting period. In addition to the written progress reports, the applicant, upon request, shall be required to meet with representatives of the Judiciary to discuss the progress of the work required.

- c. The Applicant shall, at the completion of the contract period, submit a final written report to the Judiciary. The report shall include documentation of the Applicant's overall effort towards meeting the program goals and objectives, to include information on the outcome(s) of quality improvement activities engaged in. Furthermore, the Applicant shall furnish any additional reports or information that the Judiciary may from time to time require or request.
- d. Pursuant to HRS 601-21, the applicant shall comply with the requirements of the statewide substance abuse treatment monitoring program established under HRS 321-192.5. The Judiciary additionally requires that all programs which provide substance abuse treatment services, whether accredited or not accredited by ADAD, participate in the statewide data collection activities under the purview of ADAD.

8. Pricing or pricing methodology to be used

Negotiated unit of service or fixed price.

(If a proposal is submitted for fixed price, the Applicant shall also submit unit of service rates for each service activity.)

9. Units of service and unit rate

Proposals shall include, as applicable, average expected lengths of stays proposed for each level of care; group sizes and frequency of services (i.e. number of sessions per week), as applicable; and provide fees for units of services as follows:

- a. Substance abuse assessments/Per Assessment. Applicant must indicate proposed unit rate applicable for both the in-custody or in-community offenders.
- b. Assessments for First-Time Drug Offenders/Per Assessment [A separate rate may be charged for assessments conducted on detained

clients. If a separate rate is not listed, it will be assumed that the proposed fee applies to both in-community and in-facility offenders.]

- c. Substance Abuse Education/Per Hour/Per Individual
- d. Pre-Treatment -Motivational Enhancement/Per Hour/Per Individual
- e. Outpatient Treatment/Per Hour/Per Individual
- f. Intensive Outpatient Treatment/Per Hour/Per Individual
- g. Day Treatment/Per Hour/Per Individual
- h. Individual and Family Counseling for Non-Residential Programs/Per Hour/Per Individual/Per Family
- i. Residential/Per Bed Day/Per Individual
(To include allowances for individual and family counseling, as applicable)
- j. Continuing/After-Care/Per Hour/Per Individual
- k. Therapeutic Living/Per Bed Day/Per Individual

Initial screening and assessments for program acceptance shall be an imbedded cost. The rate shall cover one hundred percent (100 %) of treatment and housing (as applicable) costs for the client and shall also include provision of all workbooks and curricula material necessary to administer treatment services. Applicants may cite unit rates by the half or quarter hour as applicable.

For Second Circuit:

- l. Detox-residential/ Per Bed Day/Per Individual
- m. Sober Living Program/Deposit fee only/Per client

For Third Circuit:

- n. Sober Living Program (West Hawaii only) Fee for Service per bed day/per individual

10. Methods of compensation and payment

- a. The Applicant shall be required to submit monthly invoices to ensure

accurate payments for services rendered. Information to be included shall be client's name, date of admission, date of discharge, reason for discharge, level of service provided and number of units provided with corresponding dates and service unit fee billed

- b. The Applicant shall maximize reimbursements of benefits for all levels of care through Hawaii Quest and Quest Net, the client's private insurance, the Department of Human Services or any other sources of payment made known to the Applicant by the client for treatment, housing or subsistence. Payments to the Applicant shall be reduced by received third party payments.

2.1.4 Facilities

- A. Applicants shall provide a description of its facilities and its conduciveness to the treatment being provided.
- B. Applicants proposing to provide Residential Treatment and Therapeutic Living Program services shall describe and include in the proposals the following:
 - 1. How security and client accountability will be achieved.
 - 2. A site map of the facility designating all program locations, the location of each dwelling for Residential and/or Therapeutic Living Program, and the gender for each dwelling.
 - 3. A floor plan for each dwelling laying out each bedroom for clients and resident counselor(s), kitchen, dining area, living area, bathrooms and laundry area; the number of client beds per room; the number of resident counselor bed(s) per room; and the maximum capacity for each dwelling.
 - 4. The number of licensed beds for Residential and/or Therapeutic Living Program services by the Office of Health Care Assurance (OCHA), Department of Health, State of Hawaii.

2.2 SVC SPEC TITLE: Adult Client Services
ACSO - Assessment and Treatment of Adult Sex Offenders

2.2.1 Introduction

A & B.- (SEE SECTION 2.0.1)

C. Description of the goals of the service

Sex offender specific treatment services are needed to provide the Judiciary and the community with a comprehensive approach in dealing with adults who are sentenced or directed by the court to obtain sex offender treatment services.

D. Description of the target population to be served

Adults (male/female) referred for presentence assessment evaluations and convicted offenders who as a condition of court supervision require sex offender treatment.

E. Geographic coverage of service

Service areas include the following:

First Circuit -- Island of Oahu

Second Circuit -- Islands of Maui, Lanai, and Molokai

Third Circuit -- Island of Hawaii

Fifth Circuit -- Island of Kauai

Separate proposals shall be submitted for each circuit.

F. Probable funding amounts, source, and period of availability

Probable funding amounts:

FY 2020

FY 2021

FY 2022

FY 2023

Funding amounts are not being stated at this time. Applicants should propose funding amounts in their proposals based on their best estimate of the cost of providing the services described in these specifications.

Funding source: State general funds.

Period of availability: The Judiciary intends to award a multi-term contract. The aggregate term of the contract shall not exceed four (4) years, e.g., July 1, 2019 to June 30, 2023, subject to the appropriation and availability of funds and

satisfactory contract performance. Funds are available for only the initial term of the contract which is for 2 years.

2.2.2 General Requirements

A. Specific qualifications or requirements, including but not limited to licensure or accreditation

1. The applicant shall have licenses and certificates, as applicable, in accordance with federal, state and county regulations, and comply with all applicable Hawaii Administrative Rules.
2. The applicant must have demonstrated its competence or qualifications to perform the required services. The assessor and primary treatment therapist must hold a master's or doctoral degree in one of the disciplines related to human services, such as psychology, social work, nursing, counseling, and psychiatry and meet the academic training and work experience described in the Sex Offender Management Team (SOMT) qualifications guidelines.
3. The applicant must have an accounting system, with acceptable accounting practices and standards.
4. The proposed service must meet all required state licensing or certification standards, provide assurances of fair hearing and grievance procedures for clientele, civil rights compliance, information safeguarding practices, and provide proof of insurance coverages as applicable.
5. The applicant shall submit in a timely manner upon request by the Judiciary, any additional information needed by the Judiciary to make a decision on the applicant's proposal. The Judiciary may request an oral discussion or presentation in support of the proposal. On-site visits may be made.
6. The applicant shall comply with the Chapter 103F, HRS Cost Principles for Purchases of Health and Human Services identified in SPO-H-201

(Effective 10/01/98), which can be found on the SPO website (See Section 5, ProposalApplication Checklist, for the website address).

B. Secondary purchaser participation (Refer to §3-143-608, HAR)

After-the-fact secondary purchases are allowed.

C. Multiple or alternate proposals

(Refer to §3-143-605, HAR)

☐ Allowed ☒ Unallowed

D. Single or multiple contracts to be awarded

(Refer to §3-143-206, HAR)

☐ Single ☐ Multiple ☒ Single & Multiple

Each circuit will award its own contract(s). For Hawaii only: A single contract for treatment services for both sides of the island, and a separate but single contract for psychosexual assessment as part of a pre-sentence investigation.

E. Single or multi-term contracts to be awarded

(Refer to §3-149-302, HAR)

☐ Single term (< 2 yrs) ☒ Multi-term (> 2 yrs.)

A multi-term contract will be awarded based on a determination that it is in the best interest of the Judiciary. The initial term of the contract shall be for two (2) years. Funds are available for only the initial term of the contract. The contract may be extended for another two (2) years, subject to appropriation and availability of funds and satisfactory performance of services by provider. Execution of a contract amendment is required to extend the contract for another term. The aggregate term of the contract shall not exceed four (4) years, e.g., July 1, 2019 to June 30, 2021. If it is determined that it is not in the best interest of the Judiciary to award a multi-term contract, a single-term contract will be awarded.

F. RFP contact persons

The individuals listed below are the points of contact from the date of release of this RFP until the selection of the winning provider or providers. Written questions should be submitted to the RFP contact person(s) and received on or before the day and time specified in Section 1.1 (Procurement Timetable) of this RFP.

If you have any technical questions regarding the requested services, please call the following individual:

Judiciary Contracts & Purchasing Office
Tritia Cruz at (808) 538-5805 fax: 538-5802
Tritia.L.Cruz@courts.hawaii.gov

If you have any programmatic questions regarding the requested services, please call the following individual:

Oahu: Administrative Services Division, First Circuit
Roland L.Lee at (808) 539-4535 fax: 539-4559
Roland.L.Lee@courts.hawaii.gov

Maui: Special Services Branch, Second Circuit
Alysha Stephenson at (808) 244-2772 fax: 244-2870
Alysha.R.Stephenson@courts.hawaii.gov

Hawaii: Adult Client Services, Third Circuit
Aolani Mills, 808-322-8726
Program Specialist
Aolani.M.Mills@courts.hawaii.gov

Adult Client Services, Third Circuit
Christine Kefford, (808) 961-7624 fax: 961-7676
Probation Administrator
Christine.M.Kefford@courts.hawaii.gov

Kauai: Adult Client Services, Fifth Circuit
Renette Garma at (808) 482-2400 fax: 482-2652
Renette.S.Garma@courts.hawaii.gov

2.2.3 Scope of Work

The scope of work encompasses the following tasks and responsibilities:

A. Service Activities (Minimum and/or mandatory tasks and responsibilities)

1. The applicant shall provide assessment services that follow the guidelines set forth by SOMT. The comprehensive evaluation reports will summarize the results of assessments conducted upon sex offenders. Components to be summarized include: a) a clinical interview; b) history; c) psychometric testing; d) penile plethysmograph testing or Abel Assessment; and e) polygraph examination.
2. The applicant shall provide sex offender treatment that follows the guidelines set forth by the SOMT. The treatment curriculum will combine Relapse Prevention, Behavior Modification, and Psychological components to sex offenders in groups consisting of no more than twelve. The goal of treatment is to increase the sex offenders' coping skills to

manage their impulses to sexually assault.

3. New guidelines for the assessment and treatment of sex offenders may be developed by SOMT during the course of the contract and will be implemented upon negotiation to the satisfaction of both the contracting agency and the applicant.
4. Applicants shall incorporate evidence-based practices in sex offender treatment services by utilizing validated risk assessment instruments and effective interventions that target risk factors, criminogenic needs, and responsivity, such as motivational interviewing, cognitive behavioral therapy, and skill training with directed practice.
5. Applicants must be willing to undergo a program assessment and/or audit and develop an action plan to address corrective actions to improve identified areas.

The nature and scope of the services to be provided shall be performed in accordance with established clinical principles, clinical practices, and clinical ethics.

B. Management Requirements (Minimum and/or mandatory requirements)

1. Personnel

- a. The applicant shall possess and document knowledge, capacity, skills, and experience in working with the targeted population.

Applicants shall describe its program for increasing clinical staff competencies in sex offense specific treatment and the acquisition of evidence-based, offender-oriented treatment. At a minimum, applicants shall demonstrate how direct care staff will be assisted in understanding and applying the risk-need-responsivity principles in their treatment of offenders, as well as the stages of change, motivating the client toward change and behavioral treatment.

- b. The applicant shall conduct a State and Federal fingerprint- based criminal history record check for any person, including, but not limited to any officer, employee, volunteer or subcontractor, who performs work or services which necessitates close proximity to or unsupervised access to vulnerable clients such as children, disabled, and/or the elderly, or other program related vulnerable clients. In addition, the applicant will conduct a search of the State and National Sex Offender Registries,

<http://sexoffenders.ehawaii.gov> (State Sex Offender Registry) and the www.nsopr.gov (National Sex Offender Public Registry). The minimum record check will be conducted once every four years for each person, and/or at the outset of the contract period if such checks have never been conducted. Further, the applicant will ensure the continued suitability of any officer, employee, volunteer or subcontractor to work or provide services to vulnerable clients. Results of all criminal history record inquiries conducted shall be placed in the employee's or volunteer's personnel file and shall be available to Judiciary for review. The applicant further shall have a written plan for addressing any findings that result from a criminal history record check that may affect the treatment milieu (e.g. actively under the supervision of any criminal justice agency, convicted sex offenders). Prior to commencing any work or services on the contract, the applicant shall ensure that any officer, employee, volunteer or subcontractor is suitable to be performing work or services in close proximity to or with unsupervised access to children, disabled, and/or elderly clients will be of reputable and responsible character and will not pose a risk to the health, safety, security, or well-being of clients, staff and the general public.

- c. The applicant shall have on the premises at least one person currently certified in First Aid and CPR.
- d. Applicants shall maintain documentation for each employee of an initial and annual tuberculosis (TB) skin test or chest x-ray.
- e. The staff and volunteers, if used by the applicant, shall be under the supervision of the program director or his or her designee and shall, accordingly, be trained in client confidentiality issues and program quality assurance requirements.

2. Administrative

- a. The applicant shall establish and implement policies and procedures which clearly identify the target population for each type of service, the program content, and methods of service delivery.
- b. Court testimony by an Applicant representative shall be provided as needed.

3. Quality assurance and evaluation specifications

- a. The applicant shall have a quality assurance plan which identifies the mission of the organization, what services will be provided, how they are delivered, who is qualified to deliver the services, who is eligible to receive the services, and what standards are used to assess or evaluate the quality and utilization of services.
- b. Program evaluation should reflect the documentation of the achievement of the stated goals, using tools and measures consistent with the professional standards of the disciplines involved in the delivery of services.
- c. Applicants shall agree, by contract, to be willing to undergo a program assessment and/or audit designed to assess Applicant's implementations of effective practices in working with offenders. Based on the assessment/audit report, the Applicant will develop in concert with the contracting agency, an action plan to address areas which need improvement. There should be at least one quality improvement activity completed annually.
- d. Contract compliance may be monitored by conducting site visits and reviews without prior notice.
- e. Applicants shall provide all program monitoring assessments and/or evaluation reports completed within the last two years.

4. Output and performance/outcome measurements

- a. Output: The applicant shall record unduplicated clients served. The unduplicated client count shall be recorded in the applicant's quarterly reports, culminating in a final unduplicated client count on the applicant's final report.
- b. Outcome: The applicant shall propose measurement tools by which effectiveness of the services may be determined, as well as utilize any provided by the Judiciary.

5. Reporting requirements for program and fiscal data

- a. The provider shall submit written quarterly and year-end reports summarizing output and outcome data, performance accomplishments, challenges, and actual expenditures. Quarterly reports are due 30 days after the end of the quarter. Final reports are due 45 days after the end of each fiscal year and/or at the end of the contract period, as applicable.

- b. Reports shall consist of a statement by the provider relating to the work accomplished during the reporting period and shall include statements of the nature of the work performed, identification of persons served by the provider during the reporting period, identification of any immediate problems encountered during the reporting period, and any recommendations deemed pertinent by the provider, as well as a statement of what activities are proposed to be accomplished during the next reporting period. In addition to the written progress reports, the provider, upon request, shall be required to meet with representatives of the Judiciary to discuss the progress of the work required.
- c. The provider shall, at the completion of the contract period, submit a final written report to the Judiciary. The report shall include documentation of the provider's overall effort towards meeting the program goals and objectives, to include information on the outcome(s) of quality improvement activities in which the program is engaged. Furthermore, the provider shall furnish any additional reports or information that the Judiciary may from time to time require or request.

6. Pricing or pricing methodology to be used

Pricing methodology shall be negotiated unit of service; for Second and Fifth Circuits, negotiated unit of service or fixed price. If a proposal is submitted for fixed price, the applicant shall also submit unit of service rates for each service activity.

7. Units of service and unit rate

Estimated units of service (per year)

	Oahu	Maui	Hawaii	Kauai
Sex offender treatment	70	25	20	7
Psychosexual evaluations	55	8	20	3

2.2.4 Facilities

- A. Applicants shall provide a description of its facilities and its conduciveness to the treatment being provided.
- B. Facilities shall comply with all federal, state, and county laws, ordinances, codes, rules and regulations.

ADULT CLIENT AND FAMILY SERVICES

2.3 SVC SPEC TITLE: Adult Client Services ACSDV - Domestic Violence Intervention Services

2.3.1 Introduction

A & B. - (SEE SECTION 2.0.1)

C. Description of the goals of the service

Domestic violence intervention services are requested that will provide evidence based or evidence informed practices, cognitive behavioral intervention services for adjudicated adult and juvenile offenders, services to children who are experiencing domestic violence in their families, and supportive services to victims and children of domestic violence. The overarching goals are for services to enhance victim, child, and community safety, while holding offenders accountable for their battering behavior and reducing recidivism. Services should include but not be limited to providing offenders with the knowledge and skills needed to prevent further battering, and to offer alternative cognitive-behavioral skills training that will strengthen their ability to make different behavioral choices and take responsibility for their battering.

Experience in working with individuals and/or families involved in domestic violence in gender relevant ways is required. Applicants must evidence the ability to collaborate with other domestic violence agencies including, but not limited to, active participation in and with domestic violence coalitions, task forces, criminal justice agencies, the Judiciary, and other relevant state agencies and private sector organizations which are involved in dealing with domestic violence.

D. Description of the target population to be served

Adults, juveniles, and children of either sex who have been adjudicated and/or referred by the court. Voluntary referrals may also be accepted.

E. Geographic coverage of service

Service areas include the following:
First Circuit - Island of Oahu

F. Probable funding amounts, source, and period of availability

Probable funding amounts:

<u>FY 2020</u>	<u>FY 2021</u>	<u>FY 2022</u>	<u>FY 2023</u>
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Funding amounts are not being stated at this time. Applicants should propose funding amounts in their proposals based on their best estimate of the cost of providing the services described in these specifications.

Funding source: State general and special funds; Federal funds.

Period of availability: The Judiciary intends to award a multi-term contract. The aggregate term of the contract shall not exceed four (4) years, e.g., July 1, 2019 to June 30, 2023, subject to the appropriation and availability of funds and satisfactory contract performance. All State funds are contingent on appropriation, and all Federal funds are contingent on the awarding of grant applications. Funds are available for only the initial term of the contract which is for 2 years.

2.3.2 General Requirements

A. Specific qualifications or requirements, including but not limited to licensure or accreditation

1. The applicant shall have licenses and certificates, as applicable, in accordance with federal, state and county regulations, and comply with all applicable Hawaii Administrative Rules.
2. The applicant must have demonstrated competence or qualifications to perform the required services.
3. The applicant must have an accounting system, with acceptable accounting practices and standards.
4. The proposed service must meet all required state licensing or certification standards, provide assurances of fair hearing and grievance procedures for clientele, civil rights compliance, information safeguarding practices, and provide proof of insurance coverages as applicable.
5. The applicant shall submit in a timely manner upon request by the Judiciary, any additional information needed by the Judiciary to make a decision on the applicant's proposal. The Judiciary may request an oral discussion or presentation in support of the proposal. On-site visits may be made.

6. The applicant shall comply with Chapter 103F, HRS Cost Principles for Purchases of Health and Human Services identified in SPO-H-201 (Effective 10/01/98), which can be found on the SPO website (See Section 5, ProposalApplication Checklist, for the website address).
7. The applicant shall incorporate and demonstrate their knowledge and use of best practices/evidence based practices or evidence informed practices in domestic violence intervention services. Best practices/evidence-based practices are defined as a body of contemporaneous empirical research findings that produce the most efficacious outcomes for persons involved in domestic violence, has literature to support the practices, is supported by national consensus, has a system for implementing and maintaining program integrity, and conformance to ethical/professional standards. Best practices/evidence-based practices should reference the use of validated domestic violence risk assessments. Evidence informed practices are based on existing literature, research and evaluation reports, practice knowledge and experience, local, national and international models and expert views, and have been found efficacious by leading national entities such as the Office on Violence Against Women in the Department of Justice. Applicant to include how they intend to assess risk needs and target criminogenic needs, as well as the offender's level of risk. Any instrument(s) used to conduct assessments will be identified and described. Applicant to include evidence that the program staff properly utilize proven strategies that enhance motivation to change and retention of clients in services, such as motivational interviewing.

B. Secondary purchaser participation
(Refer to §3-143-608, HAR)

After-the-fact secondary purchases will be allowed.

C. Multiple or alternate proposals
(Refer to §3-143-605, HAR)

☐ Allowed ☒ Unallowed

Separate proposals shall be submitted for each circuit.

D. Single or multiple contracts to be awarded
(Refer to §3-143-206, HAR)

☐ Single ☐ Multiple ☒ Single & Multiple

Multiple contracts may be awarded if such awards are deemed to be in the best interest of the Judiciary, and will be based on the highest ranked proposals.

E. Single or multi-term contracts to be awarded

(Refer to §3-149-302, HAR)

[] Single term (< 2 yrs) [X] Multi-term (> 2 yrs.)

A multi-term contract will be awarded based on a determination that it is in the best interest of the Judiciary. The initial term of the contract shall be for two (2) years. Funds are available for only the initial term of the contract. The contract may be extended for another two (2) years, subject to appropriation and availability of funds and satisfactory performance of services by provider. Execution of a contract amendment is required to extend the contract for another term. The aggregate term of the contract shall not exceed four (4) years, e.g., July 1, 2019 to June 30, 2023. If it is determined that it is not in the best interest of the Judiciary to award a multi-term contract, a single-term contract will be awarded.

F. RFP contact persons

The individuals listed below are the points of contact from the date of release of this RFP until the selection of the winning provider or providers. Written questions should be submitted to the RFP contact person(s) and received on or before the day and time specified in Section 1.1 (Procurement Timetable) of this RFP.

If you have any technical questions regarding the requested services, please call the following individual:

Judiciary Contracts & Purchasing Office
Tritia Cruz at (808) 538-5805 fax: 538-5802
Tritia.L.Cruz@courts.hawaii.gov

If you have any programmatic questions regarding the requested services, please call the following individual:

Oahu: Program Specialist, First Circuit
Dayna Miyasaki at (808) 539-4406 fax: 539-4402
Dayna.A.Miyasaki@courts.hawaii.gov

2.3.3 Scope of Work

The scope of work encompasses the following tasks and responsibilities:

A. Service Activities (Minimum and/or mandatory tasks and responsibilities)

Applicant to provide curriculum that will be used in the following service activities that will be reflective of the use of evidence based, best practices. The First Circuit Court reserves the right to purchase only a component of any listed service activity based on availability of funds and need.

1. Batterers Intervention Programs (BIPs) . Specific domestic violence intervention services to offenders must follow the guidelines in the current “Hawaii Batterers Program Standards”. All offender programs must utilize recognized effective “best-practice” interventions based on current knowledge and research, and be presented in culturally appropriate and gender relevant ways. Services should include but not be limited to providing offenders with the knowledge and skills needed to prevent further battering, and to offer alternative cognitive-behavioral skills training that will strengthen their ability to make different behavioral choices and take responsibility for their battering. Additionally, a client centered approach aimed at strengthening personal motivation and commitment to change, such as Motivational Interviewing should be used at all points of the program process. The proposed services must describe how identification of criminogenic risk needs will be made, and addressed in the curriculum. Batterer groups should ideally have no more than 8 to 10 participants per facilitator (unless otherwise designated or approved by the First Circuit Court and be led by facilitators of each gender.

All BIPs must include a component to address the safety of the victim. This must include an assessment of risk, with appropriate action to be taken based on such assessment, and victim contact, for the purpose of providing program information, enhancing victim safety, and referral to victim support and other services, as needed.

2. Victim Support Services. Services to adult victims of domestic violence will include but not be limited to any of the following: support and trauma informed counseling; preparation of restraining orders; assistance with other court related services; information and referral services regarding legal, criminal justice and other issues in domestic violence; legal assistance to include representation, preparation of temporary restraining orders and other related court actions, court accompaniment, advocacy, crisis counseling, outreach services, case management, safety planning, legal services, child care; and parenting programs. Applicants shall describe their appropriate linkages to other services (i.e., substance abuse assessment and/or treatment services, mental health evaluation/ services, child welfare services, etc.).

3. Services to Children Who Experience Domestic Violence. Domestic violence intervention services designed to assist children and adolescents who have/are witnessing/experiencing domestic violence in their homes, adolescents charged with HRS 709-906, abuse of family and household members, and/or adolescents involved in dating violence.

Intervention services to adolescents will include but not limited to: assessment of the adolescent and family, group services preferably, but may be provided individually if assessment indicates, timely status reports to the Juvenile Client Services Branch, and other services, as mutually agreed.

Services to children may also include supervised child visitation/exchanges. Proposed services must describe the following: a) the safeguards used to provide for the safety of children and parents during visits or exchanges, b) training and minimum qualifications of staff, c) supervision of staff, and d) the provider's affiliation, or proposed affiliation, with a state and/or national supervised visitation network and/or state domestic violence coalition.

4. Domestic Violence Task Force. Services to coordinate and staff a Domestic Violence Task Force on the island of Oahu are desired. Responsibilities include convening key stakeholders from the public and private sectors, and the community, with the goal of improving safety and services to victims of intimate partner violence, increasing offender accountability and cognitive behavioral changes, and the prevention of future violence. The Task Force will promote the engagement, collaboration, coordination, and on-going communication of stakeholders.

B. Management Requirements (Minimum and/or mandatory requirements)

1. Personnel

- a. The applicant shall possess and document knowledge, capacity, skills and experience in working with targeted population(s). Applicants shall provide minimum qualifications for program director(s). Program director is defined as the person responsible for the overall management of the treatment program(s). Applicant shall provide educational backgrounds and experience of any current program director(s).
- b. The applicant shall conduct a State and Federal fingerprint- based criminal history record check for any person, including, but not

limited to any officer, employee, volunteer or subcontractor, who performs work or services which necessitates close proximity to or unsupervised access to vulnerable clients such as children, disabled, and/or the elderly , or other program related vulnerable clients . In addition, the applicant will conduct a search of the State and National Sex Offender Registries, <http://sexoffenders.ehawaii.gov> (State Sex Offender Registry) and the www.nsopr.gov (National Sex Offender Public Registry). The minimum record check will be conducted once every four years for each person, and/or at the outset of the contract period if such checks have never been conducted. Further, the applicant will ensure the continued suitability of any officer, employee, volunteer or subcontractor to work or provide services to vulnerable clients. Results of all criminal history record inquiries conducted shall be placed in the employee's or volunteer's personnel file and shall be available to Judiciary for review. The applicant further shall have a written plan for addressing any findings that result from a criminal history record check that may affect the treatment milieu (e.g. actively under the supervision of any criminal justice agency, convicted sex offenders). Prior to commencing any work or services on the contract, the applicant shall ensure that any officer, employee, volunteer or subcontractor is suitable to be performing work or services in close proximity to or with unsupervised access to children, disabled, and/or elderly clients will be of reputable and responsible character and will not pose a risk to the health, safety, security, or well-being of clients, staff and the general public.

- c. The applicant shall submit organizational charts.
- d. The applicant shall have on the premises at least one person currently certified in First Aid and CPR.
- e. The staff and volunteers, if used by the applicant, shall be under the supervision of the program director or his or her designee and shall, accordingly, be trained in program specific dynamics, client confidentiality issues and program quality assurance requirements.
- f. The applicant must have sufficient and relevant training and staff development. Applicant to provide verification of training and staff development plan.
- g. Applicants shall ensure that supervision over program activities and on-going training is provided to all employees and contract

personnel that provide and/or supervise client services. Supervision of facilitators must include monthly documented assessment of adherence to the current Hawaii Batterers Intervention Program Standards, and quarterly monitoring of group sessions by supervisory personnel. At a minimum, applicants shall ensure that clinical supervision over BIPs facilitators is provided by someone with a graduate degree in social work, psychology, or any relevant behavioral health field, and have had at least one year of experience working in the domestic violence or related field. All supervisory or consultant personnel shall have training and experience in working with batterers, and/or adult and child victims of domestic violence. Programs shall assist clients with resources, including those which reflect the interface of domestic violence to mental health conditions, substance abuse, post-traumatic stress disorder (PTSD), suicidal and homicidal ideation, and other areas, as indicated.

- h. Applicants shall demonstrate and describe their collaboration with other appropriate service providers, including but not limited to those providing domestic violence shelters, victim services, BIPs, domestic violence coalitions and task forces, criminal and civil justice agencies, the Judiciary, and other relevant state and national agencies and private sector organizations.

2. Administrative

The applicant shall establish and implement policies and procedures which clearly identify the target population for each type of service, the program content, curriculum, when available, and methods of service delivery.

3. Quality assurance and evaluation specifications

- a. The applicant shall have a quality assurance plan which identifies the mission of the organization, and if that mission is not specifically related to the domestic violence intervention services provided, then an appropriate “sub-mission,” i.e., what services will be provided, how they are delivered, who is qualified to deliver the services, who is eligible to receive the services, and what standards are used to assess or evaluate the quality and utilization of services.
- b. The quality assurance plan shall serve as procedural guidelines for staff, and will confer designated individuals and committees with

the authority to fulfill their responsibilities in the areas of quality assurance.

- c. The quality assurance process shall serve as a source of information for parties interested in knowing how the program monitors and improves the quality of its services. Findings shall be integrated and reviewed by the quality assurance committee, and information shall be conveyed to the program administrator and the organization's executive officer and governing body at least annually.
- d. The quality assurance system shall identify strengths and deficiencies, indicate corrective actions to be taken, validate corrections, and recognize and implement innovative, efficient, or effective methods for the purpose of overall program improvement.
- e. Program evaluation should reflect the documentation of the achievement of the stated goals of the program using tools and measures consistent with the best-practice standards of the disciplines involved in the delivery of services.
- f. Contract shall be monitored by the Judiciary conducting periodic site visits and reviews with or without prior notice. Contract monitoring shall include but may not be limited to:
 - 1) Periodic site visits, scheduled and unscheduled, with comprehensive written evaluation of the major program service areas, such as:
 - i. Program Leadership
 - ii. Staff Characteristics
 - iii. Offender Assessments
 - iv. Treatment Characteristics
 - v. Quality Assurance
 - 3) The Applicant shall allow the Judiciary access to all materials, files, and documents relating to the provision of services. In addition, the Judiciary may, at its discretion, observe individual, group, and other sessions and/or processes such as intake conducted by the Applicant.

- g. Applicants must be willing to undergo a program assessment and/or audit and develop an action plan to address corrective actions to improve identified areas.

4. Output and performance/outcome measurements

- a. Output: The applicant shall record unduplicated clients served. The unduplicated client count shall be recorded in the applicant's quarterly reports, culminating in a final unduplicated client count on the applicant's final report.
- b. Outcome: The applicant shall indicate measurement tool(s) by which effectiveness of the services may be determined, as well as utilize the following by the Judiciary. It is strongly suggested that criteria for program completion be based on the achievement of measurable client performance outcomes rather than a participant attending a specific number of sessions. **If the percentages in the following are thought to be unreachable by the program, indicate the reasons why and present a counter proposal with justification.**
 - (1) _____percent (___%) of all clients completing batterer intervention services have remained violence free for no less than twenty (20) consecutive weeks prior to discharge. *Measured by client report, victim corroboration, review of police records, confirmation with probation officer, etc.*
 - (2) _____percent (___%) of all clients completing batterer intervention services have taken responsibility for their violent behavior; ceased to blame the victim for the violence; and recognized the adverse effects of their violent acts. *Measured by facilitator evaluation of client participation in group, completion of written assignments indicating such thinking and behavior verifiable by file records.*
 - (3) One hundred percent (100%) of all clients completing batterer intervention services will complete a written individualized, practical plan to maintain non-violent behavior and will present that plan to the group for critique and feedback. *Verified by copy of plan in client file and facilitator written evaluation of the practicability of plan.*

- (4) Seventy-five percent (75%) of all clients completing batterer intervention services will improve their understanding of the nature and effects of domestic violence by 50%. *Measured by pre-post test and facilitator evaluation. Verified by test copies in client file and file records of facilitator evaluation.*
- (5) Sixty percent (60%) of all clients completing batterer intervention services will demonstrate the knowledge, skills and attitudes/values necessary for the maintenance of non-abusive behavior in intimate relationships which includes learning non-violent conflict resolution and non-aggressive communication skills. *Concepts that may be considered for measurement include: non-threatening behavior; respect; trust and support; honesty and accountability; shared responsibility; economic partnership; negotiation and fairness.) Measured by client participation/sharing in group, effectiveness in role playing; feedback to other clients; and facilitator written evaluation at program completion. Verified by curriculum content delivery dates of relevant sessions, notes in client file, group notes, etc.*
- (6) One hundred percent (100%) of all clients completing batterer interventions services will significantly increase their knowledge of the effects of domestic violence on children. *Measured by pre-post test; client participation in group, feedback to other clients; and facilitator evaluation. Verified by curriculum content delivery dates of relevant sessions, copy of pre-post test in client file; and copy of client self and facilitator written evaluation if client file.*
- (7) Eighty percent (80%) of all clients completing batterer intervention services will demonstrate an increase in their development of empathy for others affected by their violent behavior. *Measured by participation in group; written assignments; self and facilitator evaluation. Verified by case notes and client self and facilitator written evaluation in client file.*

5. Reporting requirements for program and fiscal data

- a. The provider shall submit written quarterly and year-end reports summarizing output and outcome data, performance

accomplishments, challenges, and actual expenditures. Quarterly reports are due 30 days after the end of the quarter. Final reports are due 45 days after the end of each fiscal year and/or at the end of the contract period, as applicable.

- b. Reports shall consist of a statement by the provider relating to the work accomplished during the reporting period and shall include statements of the nature of the work performed, identification of persons served by the provider during the reporting period, identification of any immediate problems encountered during the reporting period, and any recommendations deemed pertinent by the provider, as well as a statement of what activities are proposed to be accomplished during the next reporting period. In addition to the written progress reports, the provider, upon request, shall be required to meet with representatives of the Judiciary to discuss the progress of the work required.
- c. The provider shall, at the completion of the contract period, submit a final written report to the Judiciary. The report shall include documentation of the provider's overall effort towards meeting the program goals and objectives. Furthermore, the provider shall furnish any additional reports or information that the Judiciary may from time to time require or request.

6. Pricing or pricing methodology to be used
Negotiated unit of service or fixed price.

7. Units of service and unit rate

First Circuit, (Oahu):

Estimated number of referrals:

Batterers	600 – 1,500
Victims	1,000-4,000
Children/adolescents	50-300
Child Visitation/Exchange	200-800
Families (visitation/exchange)	150-400

Proposals should describe the average length of treatment and/or intervention services for batterers, victims, and children, including any provisions for after care services.

ADULT CLIENT AND FAMILY SERVICES

2.4 SVC SPEC TITLE: Adult Client and Family Services ACFS3IC - Family Court of the Third Circuit (East and West Hawaii) In-Community

2.4.0 Introduction

A & B. - (SEE SECTION 2.0.1)

C. Description of the goals of the service

The goal is to provide supportive services that enhance child and family safety through closely observed and supervised child visitation and child exchanges as a part of, but not limited to adverse Divorce, Child Custody, Paternity and Restraining Order proceedings.

Applicants should possess knowledge and experience in working with individuals and/or families involved in the areas of domestic violence, substance abuse, and mental health. They must further evidence the ability to collaborate with the assigned Court, Judiciary staff, and appointed attorneys.

D. Description of the target population to be served

Adults, juveniles, and children of either sex who have been referred by the Court. Voluntary referrals may also be accepted.

Highest consideration will be given to proposals where the provider is willing to perform these services outside of normal business hours (i.e. Nights, weekends and holidays)

E. Geographic coverage of service

Service areas include the following:
Third Circuit - Island of Hawaii

Proposals must include Providers' ability to serve both East and West Hawaii

F. Probable funding amounts, source, and period of availability

Probable funding amounts:

<u>FY 2020</u>	<u>FY 2021</u>	<u>FY 2022</u>	<u>FY 2023</u>
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Funding amounts are not being stated at this time. Applicants should propose funding amounts in their proposals based on their best estimate of the cost of providing the services described in these specifications.

Funding source: State general funds.

Period of availability: The Judiciary intends to award a multi-term term contract. The aggregate term of the contract shall not exceed four (4) years, e.g., July 1, 2019 to June 30, 2023, subject to the appropriation and availability of funds and satisfactory contract performance. All State funds are contingent on appropriation. Funds are currently available for the initial term of the contract which is for two (2) years only

2.4.1 General Requirements

A. Specific qualifications or requirements, including but not limited to licensure or accreditation

1. The applicant shall have licenses and certificates, as applicable, in accordance with federal, state and county regulations, and comply with all applicable Hawaii Administrative Rules.
2. The applicant must have demonstrated competence or qualifications to perform the required services.
3. The applicant must have an accounting system, with acceptable accounting practices and standards.
4. The proposed service must meet all required state licensing or certification standards, provide assurances of fair hearing and grievance procedures for clientele, civil rights compliance, information safeguarding practices, and provide proof of insurance coverages as applicable.
5. The applicant shall submit in a timely manner upon request by the Judiciary, any additional information needed by the Judiciary to make a decision on the applicant's proposal. The Judiciary may request an oral

discussion or presentation in support of the proposal. On-site visits may be made.

6. The applicant shall comply with Chapter 103F, HRS Cost Principles for Purchases of Health and Human Services identified in SPO-H-201 (Effective 10/01/98), which can be found on the SPO website (See Proposal Application Checklist, for the website address).

B. Secondary purchaser participation
(Refer to §3-143-608, HAR)

After-the-fact secondary purchases will not be allowed.

C. Multiple or alternate proposals
(Refer to §3-143-605, HAR)

☐ Allowed ☒ Not allowed

D. Single or multiple contracts to be awarded
(Refer to §3-143-206, HAR)

☐ Single ☐ Multiple ☒ Single & Multiple

Multiple contracts may be awarded if such awards are deemed to be in the best interest of the Judiciary, and will be based on the highest ranked proposals.

E. Single or multi-term contracts to be awarded
(Refer to §3-149-302, HAR)

☐ Single term (< 2 yrs.) ☒ Multi-term (> 2 yrs.)

A multi-term contract will be awarded based on a determination that it is in the best interest of the Judiciary. The initial term of the contract shall be for two (2) years. Funds are available for only the initial term of the contract. The contract may be extended for another 2 years, subject to appropriation and availability of funds as well as the satisfactory performance of the provider. Execution of a contract amendment is required to extend the contract for another term. The aggregate term of the contract shall not exceed four (4) years, e.g. July 1, 2019 thru June 30, 2023. If it is determined that a multi term contract is not in the best interest of the Judiciary, a single term contract will be awarded.

F. RFP contact persons

The individuals listed below are the points of contact from the date of release of this RFP until the selection of the winning provider or providers. Written questions should be submitted to the RFP contact person(s) and received on or before the day and time specified in Section 1.1 (Procurement Timetable) of this RFP.

If you have any technical questions regarding the requested services, please call the following individual:

Judiciary Contracts & Purchasing Office
Tritia Cruz at (808) 538-5805 fax: 538-5802
Tritia.L.Cruz@courts.hawaii.gov

If you have any programmatic questions regarding the requested services, please call the following individual:

Oahu: Program Specialist, Third Circuit
Aolani Mills at (808) 322-8726 fax: (808) 322-8701
aolani.m.mills@courts.hawaii.gov

2.4.2 Scope of Work

The scope of work encompasses the following tasks and responsibilities:

A. Service Activities (Minimum and/or mandatory tasks and responsibilities)

Services to children will include supervised child visitation/exchanges. Proposed services must describe the following: a) the safeguards used to provide for the safety of children and parents during visits or exchanges, b) training and minimum qualifications of staff, c) supervision of staff, and d) the provider's affiliation, or proposed affiliation, with a state and/or national supervised visitation network and/or state domestic violence coalition.

Services to the Judiciary will include written reports of progress to the presiding Court and all attorneys that are party to the case. Reports are due and must be filed seven (7) working days prior to the scheduled return date. Reports must include the provider's observations of child visitation/exchange; the number of cancellations/no shows, as well as any significant incidents (i.e. Domestic arguments, substance abuse).

B. Management Requirements (Minimum and/or mandatory requirements)

1. Personnel

- a. The applicant shall possess and document knowledge, capacity, skills and experience in working with targeted population(s). Applicants shall provide minimum qualifications for program director(s). Program director is defined as the person responsible for the overall management of the program(s). Applicant shall provide educational backgrounds and experience of any current program director(s).
- b. The applicant shall conduct a State and Federal fingerprint- based criminal history record check for any person, including, but not limited to any officer, employee, volunteer or subcontractor, who performs work or services which necessitates close proximity to or unsupervised access to vulnerable clients such as children, disabled, and/or the elderly , or other program related vulnerable clients . In addition, the applicant will conduct a search of the State and National Sex Offender Registries, <http://sexoffenders.ehawaii.gov> (State Sex Offender Registry) and the www.nsopr.gov (National Sex Offender Public Registry). The minimum record check will be conducted once every four years for each person, and/or at the outset of the contract period if such checks have never been conducted. Further, the applicant will ensure the continued suitability of any officer, employee, volunteer or subcontractor to work or provide services to vulnerable clients. Results of all criminal history record inquiries conducted shall be placed in the employee's or volunteer's personnel file and shall be available to Judiciary for review. The applicant further shall have a written plan for addressing any findings that result from a criminal history record check that may affect the treatment milieu (e.g. actively under the supervision of any criminal justice agency, convicted sex offenders). Prior to commencing any work or services on the contract, the applicant shall ensure that any officer, employee, volunteer or subcontractor is suitable to be performing work or services in close proximity to or with unsupervised access to children, disabled, and/or elderly clients will be of reputable and responsible character and will not pose a risk to the health, safety, and well-being of clients, staff and the general public.
- c. The applicant shall submit organizational charts.
- d. The applicant shall have on the premises at least one person currently certified in First Aid and CPR.
- e. The staff and volunteers, if used by the applicant, shall be under

the supervision of the program director or his or her designee and shall, accordingly, be trained in program specific dynamics, client confidentiality issues and program quality assurance requirements.

- f. The applicant must have sufficient and relevant training and staff development. Applicant is to provide verification of training and staff development plan. Applicants shall ensure that supervision over program activities and on-going training is provided to all employees and contract personnel that provide and/or supervise client services. At a minimum, applicants shall ensure that clinical supervision over assigned personnel is provided by someone with no less than a Bachelors' degree in social work, psychology, or any relevant behavioral health field, and have had at least one year of experience working in a child and family services related field.
- h. Applicants shall demonstrate and describe any prior collaboration with the Judiciary, other relevant state and national agencies and private sector organizations.

2. Administrative

The applicant shall establish and implement policies and procedures which clearly identify the target population and methods of service delivery.

3. Quality assurance and evaluation specifications

- a. The applicant shall have a quality assurance plan which identifies the mission of the organization, and if that mission is not specifically related to the Child Visitation and Exchange services, then an appropriate "sub-mission," i.e., what services will be provided, how they are delivered, who is qualified to deliver the services, and what standards are used to assess or evaluate the quality and utilization of services.
- b. The quality assurance plan shall serve as procedural guidelines for staff, and will confer designated individuals and committees with the authority to fulfill their responsibilities in the areas of quality assurance.
- c. The quality assurance process shall serve as a source of information for parties interested in knowing how the program monitors and improves the quality of its services. Findings shall be

integrated and reviewed by the quality assurance committee, and information shall be conveyed to the program administrator and the organization's executive officer and governing body at least annually.

- d. The quality assurance system shall identify strengths and deficiencies, indicate corrective actions to be taken, validate corrections, and recognize and implement innovative, efficient, or effective methods for the purpose of overall program improvement.
- e. Program evaluation should reflect the documentation of the achievement of the stated goals of the program using tools and measures consistent with the best-practice standards of the disciplines involved in the delivery of services.
- f. Contract compliance may be monitored by conducting site visits and reviews with or without prior notice.
- g. Applicants must be willing to undergo a program assessment and/or audit and develop an action plan to address corrective actions to improve identified areas.

4. Output measurements

- a. Output: The applicant shall record duplicated and unduplicated clients served. The client count shall be recorded in the applicant's quarterly reports, culminating in a final duplicated and unduplicated client count on the applicant's final report.

5. Reporting requirements for administrative/fiscal data

Administrative/Fiscal Data:

- a. The PROVIDER shall submit regular written quarterly progress reports to the JUDICIARY before the twenty first (21st) calendar day following the end of each quarter. The reports shall cover the clients' utilization information, a statement of problems (# of cancellations and/or # of No Shows), incidents that caused visit/exchange disruption and any corrective action taken during the quarter, staffing changes, proposed plans for the upcoming quarter and a quarterly fiscal report.

In the event the quarterly report is not filed with the JUDICIARY

on or before the required date, the JUDICIARY is authorized to withhold payment for services performed during the quarter covered by the report not yet filed and any future payments not yet made for services in future periods, until such time the quarterly report is submitted.

- b. In addition to the written progress reports, the PROVIDER, upon request, shall be required to meet with representatives of the JUDICIARY to discuss the progress of the work required.
- c. The PROVIDER shall, at the completion of the contract period, submit a final written report to the JUDICIARY. The report shall include documentation of the PROVIDER’S overall effort towards meeting the program goals and objectives. Furthermore, the PROVIDER shall furnish any additional reports or information that the JUDICIARY may from time to time require or request.

6. Pricing or pricing methodology to be used

Fixed price.

7. Units of service and unit rate

Third Circuit, (Hawaii):	
Estimated number of referrals:	
Child Visitation	300-500
Child Exchange	400-600

JUVENILE CLIENT AND FAMILY SERVICES

2.5 SVC SPEC TITLE: Juvenile Client and Family Services JCF25DVI - Domestic Violence Intervention Services

2.5.1 Introduction

A & B. - (SEE SECTION 2.0.1)

C. Description of the goals of the service

Domestic violence intervention services are requested that will provide evidence based, cognitive behavioral intervention services for adjudicated adult and juvenile offenders, services to children who are experiencing domestic violence in their families, and supportive services to victims and children of domestic violence. The overarching goals are for services to enhance victim, child, and community safety while holding offenders accountable for their battering behavior and reducing recidivism. Services should include but not be limited to providing offenders with the knowledge and skills needed to prevent further battering, and to offer alternative cognitive-behavioral skills training that will strengthen their ability to make different behavioral choices and take responsibility for their battering.

Experience in working with individuals and/or families involved in domestic violence in gender relevant ways is required. Applicants must evidence the ability to collaborate with other domestic violence agencies including, but limited to, active participation in and with domestic violence coalitions, task forces, criminal justice agencies, the Judiciary, and other relevant state agencies and private sector organizations which are involved in dealing with domestic violence.

D. Description of the target population to be served

Adults, juveniles, and children of either sex who have been adjudicated and/or referred by the court. Voluntary referrals may also be accepted.

E. Geographic coverage of service

Service areas include the following:
Second Circuit - Islands of Maui, Lanai and Molokai
Fifth Circuit -- Island of Kauai

Separate proposals shall be submitted for each circuit.

F. Probable funding amounts, source, and period of availability

Probable funding amounts:

<u>FY 2020</u>	<u>FY 2021</u>	<u>FY 2022</u>	<u>FY 2023</u>
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Funding amounts are not being stated at this time. Applicants should propose funding amounts in their proposals based on their best estimate of the cost of providing the services described in these specifications.

Funding source: State general funds (all circuits); Federal funds (all circuits)

Period of availability: The Judiciary intends to award a multi-term contract. The aggregate term of the contract shall not exceed four (4) years, e.g., July 1, 2019 to June 30, 2023, subject to the appropriation and availability of funds and satisfactory contract performance. All State funds are contingent on appropriation, and all Federal funds are contingent on the awarding of grant applications. Funds are available for only the initial term of the contract which is for 2 years.

2.5.2 General Requirements

A. Specific qualifications or requirements, including but not limited to licensure or accreditation

1. The applicant shall have licenses and certificates, as applicable, in accordance with federal, state and county regulations, and comply with all applicable Hawaii Administrative Rules.
2. The applicant must have demonstrated competence or qualifications to perform the required services.
3. The applicant must have an accounting system, with acceptable accounting practices and standards.
4. The proposed service must meet all required state licensing or certification standards, provide assurances of fair hearing and grievance procedures for clientele, civil rights compliance, information safeguarding practices, and provide proof of insurance coverages as applicable.
5. The applicant shall submit in a timely manner upon request by the Judiciary, any additional information needed by the Judiciary to make a decision on the applicant's proposal. The Judiciary may request an oral discussion or presentation in support of the proposal. On-site visits may

be made.

6. The applicant shall comply with Chapter 103F, HRS Cost Principles for Purchases of Health and Human Services identified in SPO-H-201 (Effective 10/01/98), which can be found on the SPO website (See Section 5, Proposal Application Checklist, for the website address).
7. The applicant shall incorporate and demonstrate their knowledge and use of best practices/evidence-based practices in domestic violence intervention services. Best practices/evidence-based practices are defined as a body of contemporaneous empirical research findings that produce the most efficacious outcomes for persons involved in domestic violence, has literature to support the practices, is supported by national consensus, has a system for implementing and maintaining program integrity, and conformance to ethical/professional standards. Best practices/evidence-based practices should reference the use of validated domestic violence risk assessments. Applicant to include how they intend to assess risk needs and target criminogenic needs, as well as the offender's level of risk. Any instrument(s) used to conduct assessments will be identified and described. Applicant to include evidence that the program staff properly utilize proven strategies that enhance motivation to change and retention of clients in services, such as motivational interviewing.

B. Secondary purchaser participation
(Refer to §3-143-608, HAR)

After-the-fact secondary purchases will be allowed.

C. Multiple or alternate proposals
(Refer to §3-143-605, HAR)

☐ Allowed ☒ Unallowed

D. Single or multiple contracts to be awarded
(Refer to §3-143-206, HAR)

☐ Single ☐ Multiple ☒ Single & Multiple

Multiple contracts may be awarded if such awards are deemed to be in the best interest of the Judiciary, and will be based on the highest ranked proposals.

E. Single or multi-term contracts to be awarded
(Refer to §3-149-302, HAR)

☐ Single term (< 2 yrs)

☒ Multi-term (> 2 yrs.)

A multi-term contract will be awarded based on a determination that it is in the best interest of the Judiciary. The initial term of the contract shall be for two (2) years. Funds are available for only the initial term of the contract. The contract may be extended for another two (2) years, subject to appropriation and availability of funds and satisfactory performance of services by provider. Execution of a contract amendment is required to extend the contract for another term. The aggregate term of the contract shall not exceed four (4) years, e.g., July 1, 2019 to June 30, 2023. If it is determined that it is not in the best interest of the Judiciary to award a multi-term contract, a single-term contract will be awarded.

F. RFP contact persons

The individuals listed below are the points of contact from the date of release of this RFP until the selection of the winning provider or providers. Written questions should be submitted to the RFP contact person(s) and received on or before the day and time specified in Section 1.1 (Procurement Timetable) of this RFP.

If you have any technical questions regarding the requested services, please call the following individual:

Judiciary Contracts & Purchasing Office
Tritia Cruz at (808) 538-5805 fax: 538-5802
Tritia.L.Cruz@courts.hawaii.gov

If you have any programmatic questions regarding the requested services, please call the following individual:

Maui: Program Specialist, Second Circuit
Alysha Stephenson at (808) 244-2772 fax: 244-2870
Alysha.R.Stephenson@courts.hawaii.gov

Kauai: Adult Client Services, Fifth Circuit
Renette Garma at (808) 482-2400 fax: 482-2652
Renetta.S.Garma@courts.hawaii.gov

2.5.3 Scope of Work

The scope of work encompasses the following tasks and responsibilities:

A. Service Activities (Minimum and/or mandatory tasks and responsibilities)

Applicant to provide curriculum that will be used in the following service activities that will be reflective of the use of evidence based, best practices. Each circuit individually reserves the right to purchase only a component of any listed service activity based on availability of funds and need.

1. Batterers Intervention Programs (BIPs). Specific domestic violence intervention services to offenders must follow the guidelines in the current “Hawaii Batterers Program Standards”. All offender programs must utilize recognized effective “best-practice” interventions based on current knowledge and research, and be presented in culturally appropriate and gender relevant ways. The proposed services must describe how identification of criminogenic risk needs will be made, and addressed in the curriculum. Batterer groups should ideally have no more than 16 to 24 participants (unless otherwise designated or approved by the circuit) and be led by facilitators of each gender.

All BIPs must include a component to address the safety of the victim. This must include an assessment of risk, with appropriate action to be taken based on such assessment, and victim contact, for the purpose of providing program information, enhancing victim safety, and referral to victim support and other services, as needed.

2. Victim Support Services. Services to adult victims of domestic violence will include but not be limited to any of the following: support and trauma-informed counseling; preparation of restraining orders; assistance with other court related services; information and referral services regarding legal, criminal justice and other issues in domestic violence; legal assistance to include representation, preparation of temporary restraining orders and other related court actions; court advocacy, crisis counseling, outreach services, case management, safety planning, legal services, child care; and parenting programs. Applicants shall describe their appropriate linkages to other services (i.e., substance abuse evaluation/services, mental health evaluation/ services, child welfare services, etc.).
3. Services to Children Who Experience Domestic Violence. Domestic violence intervention services designed to assist children and adolescents who have/are experiencing domestic violence in their homes, adolescents charged with HRS 709-906, abuse of family and household members, and/or adolescents involved in dating violence.

Services to children may also include supervised child visitation centers in all circuits, (the counties of Hawaii, Maui, and Kauai). Proposed services must describe the following: a) the safeguards used to provided for the safety of children and parents during visits or exchanges, b) training and minimum qualifications of staff, c) supervision of staff, and d) the provider's affiliation, or proposed affiliation, with a state and/or national supervised visitation network.

B. Management Requirements (Minimum and/or mandatory requirements)

1. Personnel

- a. The applicant shall possess and document knowledge, capacity, skills and experience in working with targeted population(s). Applicants shall provide minimum qualifications for program director(s). Program director is defined as the person responsible for the overall management of the treatment program(s). Applicant shall provide educational backgrounds and experience of any current program director(s).
- b. The applicant shall conduct a State and Federal fingerprint- based criminal history record check for any person, including, but not limited to any officer, employee, volunteer or subcontractor, who performs work or services which necessitates close proximity to or unsupervised access to vulnerable clients such as children, disabled, and/or the elderly , or other program related vulnerable clients . In addition, the applicant will conduct a search of the State and National Sex Offender Registries, <http://sexoffenders.ehawaii.gov> (State Sex Offender Registry) and the www.nsopr.gov (National Sex Offender Public Registry). The minimum record check will be conducted once every four years for each person, and/or at the outset of the contract period if such checks have never been conducted. Further, the applicant will ensure the continued suitability of any officer, employee, volunteer or subcontractor to work or provide services to vulnerable clients. Results of all criminal history record inquiries conducted shall be placed in the employee's or volunteer's personnel file and shall be available to Judiciary for review. The applicant further shall have a written plan for addressing any findings that result from a criminal history record check that may affect the treatment milieu (e.g. actively under the supervision of any criminal justice agency, convicted sex offenders). Prior to commencing any work or services on the contract, the applicant shall ensure that any officer,

employee, volunteer or subcontractor is suitable to be performing work or services in close proximity to or with unsupervised access to children, disabled, and/or elderly clients will be of reputable and responsible character and will not pose a risk to the health, safety, security, or well-being of clients, staff and the general public.

- c. The applicant shall submit organizational charts.
- d. The applicant shall have on the premises at least one person currently certified in First Aid and CPR.
- e. The staff and volunteers, if used by the applicant, shall be under the supervision of the program director or his or her designee and shall, accordingly, be trained in client confidentiality issues and program quality assurance requirements.
- f. The applicant must have sufficient and relevant training and staff development. Applicant is to provide verification of training and staff development plan.
- g. Applicants shall ensure that supervision over program activities and on-going training is provided to all employees and contract personnel that provide and/or supervise client services. Supervision of facilitators must include monthly documented assessment of adherence to the current Hawaii Batterers Intervention Program Standards, and quarterly monitoring of group sessions by supervisory personnel. At a minimum, applicants shall ensure that clinical supervision over BIPs facilitators is provided by someone with a graduate degree in social work, psychology, or any relevant behavioral health field, and have had at least one year of experience working in the domestic violence or related field. All supervisory or consultant personnel shall have training and experience in working with batterers, and/or adult and child victims of domestic violence. Programs shall assist clients with access to resources who are knowledgeable about the interface of domestic violence to mental health conditions, substance abuse, post-traumatic stress disorder (PTSD), suicidal and homicidal ideation, and other areas, as indicated.
- h. Applicants shall demonstrate and describe their collaboration with other appropriate service providers, including but not limited to those providing domestic violence shelters, victim services, BIPs, domestic violence coalitions and task forces, criminal and civil

justice agencies, the Judiciary, and other relevant state agencies and private sector organizations.

2. Administrative

The applicant shall establish and implement policies and procedures which clearly identify the target population for each type of service, the program content, and methods of service delivery.

3. Quality assurance and evaluation specifications

- a. The applicant shall have a quality assurance plan which identifies the mission of the organization, and if that mission is not specifically related to the family court domestic violence intervention services provided, then an appropriate “sub-mission,” i.e., what services will be provided, how they are delivered, who is qualified to deliver the services, who is eligible to receive the services, and what standards are used to assess or evaluate the quality and utilization of services.
- b. The quality assurance plan shall serve as procedural guidelines for staff, and will confer designated individuals and committees with the authority to fulfill their responsibilities in the areas of quality assurance.
- c. The quality assurance process shall serve as a source of information for parties interested in knowing how the program monitors and improves the quality of its services. Findings shall be integrated and reviewed by the quality assurance committee, and information shall be conveyed to the program administrator and the organization’s executive officer and governing body at least annually.
- d. The quality assurance system shall identify strengths and deficiencies, indicate corrective actions to be taken, validate corrections, and recognize and implement innovative, efficient, or effective methods for the purpose of overall program improvement.
- e. Program evaluation should reflect the documentation of the achievement of the stated goals of the program using tools and measures consistent with the best-practice standards of the disciplines involved in the delivery of services.

- f. Contract compliance may be monitored by conducting site visits and reviews without prior notice.
- g. Applicants must be willing to undergo a program assessment and/or audit and develop an action plan to address corrective actions to improve identified areas.
- h. For Second Circuit, applicants shall provide all program monitoring, assessments and/or evaluation reports completed within the last two years.

4. Output and performance/outcome measurements

- a. Output: The applicant shall record unduplicated clients served. The unduplicated client count shall be recorded in the applicant's quarterly reports, culminating in a final unduplicated client count on the applicant's final report.
- b. Outcome: The applicant shall indicate measurement tool(s) by which effectiveness of the services may be determined, as well as utilize the following by the Judiciary. It is strongly suggested that criteria for program completion be based on the achievement of measurable client performance outcomes rather than a participant attending a specific number of sessions. **If the percentages in the following are thought to be unreachable by the program, indicate the reasons why and present a counter proposal with justification.**
 - (1) _____percent (____%) of all clients completing batterer intervention services have remained violence free for no less than twenty (20) consecutive weeks prior to discharge. *Measured by client report, victim corroboration, review of police records, confirmation with probation officer, etc.*
 - (2) _____percent (____%) of all clients completing batterer intervention services have taken responsibility for their violent behavior; ceased to blame the victim for the violence; and recognized the adverse effects of their violent acts. *Measured by facilitator evaluation of client participation in group, completion of written assignments indicating such thinking and behavior verifiable by file records.*

- (3) One hundred percent (100%) of all clients completing batterer intervention services will complete a written individualized, practical plan to maintain non-violent behavior and will present that plan to the group for critique and feedback. *Verified by copy of plan in client file and facilitator written evaluation of the practicability of plan.*
- (4) Seventy-five percent (75%) of all clients completing batterer intervention services will improve their understanding of the nature and effects of domestic violence by 50%. *Measured by pre-post test and facilitator evaluation. Verified by test copies in client file and file records of facilitator evaluation.*
- (5) Sixty percent (60%) of all clients completing batterer intervention services will demonstrate the knowledge, skills and attitudes/values necessary for the maintenance of non-abusive behavior in intimate relationships which includes learning non-violent conflict resolution and non-aggressive communication skills. *Concepts that may be considered for measurement include: non-threatening behavior; respect; trust and support; honesty and accountability; shared responsibility; economic partnership; negotiation and fairness.) Measured by client participation/sharing in group, effectiveness in role playing; feedback to other clients; and facilitator written evaluation at program completion. Verified by curriculum content delivery dates of relevant sessions, notes in client file, group notes, etc.*
- (6) One hundred percent (100%) of all clients completing batterer interventions services will significantly increase their knowledge of the effects of domestic violence on children. *Measured by pre-post test; client participation in group, feedback to other clients; and facilitator evaluation. Verified by curriculum content delivery dates of relevant sessions, copy of pre-post test in client file; and copy of client self and facilitator written evaluation if client file.*
- (7) Eighty percent (80%) of all clients completing batterer intervention services will demonstrate an increase in their development of empathy for others affected by their violent behavior. *Measured by participation in group; written*

assignments; self and facilitator evaluation. Verified by case notes and client self and facilitator written evaluation in client file.

5. Reporting requirements for program and fiscal data

- a. The provider shall submit written quarterly and year-end reports summarizing output and outcome data, performance accomplishments, challenges, and actual expenditures. Quarterly reports are due 30 days after the end of the quarter. Final reports are due 45 days after the end of each fiscal year and/or at the end of the contract period, as applicable.
- b. Reports shall consist of a statement by the provider relating to the work accomplished during the reporting period and shall include statements of the nature of the work performed, identification of persons served by the provider during the reporting period, identification of any immediate problems encountered during the reporting period, and any recommendations deemed pertinent by the provider, as well as a statement of what activities are proposed to be accomplished during the next reporting period. In addition to the written progress reports, the provider, upon request, shall be required to meet with representatives of the Judiciary to discuss the progress of the work required.
- c. The provider shall, at the completion of the contract period, submit a final written report to the Judiciary. The report shall include documentation of the provider's overall effort towards meeting the program goals and objectives. Furthermore, the provider shall furnish any additional reports or information that the Judiciary may from time to time require or request.

6. Pricing or pricing methodology to be used

Negotiated unit of service or fixed price.

7. Units of service and unit rate

Maui:

Estimated number of referrals:

Batterers	225-600
Victims	400-700

Children/adolescents	25-100
Child visitation/Exchange	25-74
Families (visitation/exchange)	10-100

Kauai:

Estimated number of referrals:

Batterers	120-200
Victims	100-200
Children/adolescents	40-80
Child visitation/Exchange	50-200
Families (visitation/exchange)	10-100

Proposals should describe the average length of treatment and/or intervention services for batterers, victims, and children, including any provisions for after care services.

**2.6 SVC SPEC TITLE: Juvenile Client and Family Services
JCFRS - Residential Services**

2.6.1 Introduction

A & B. - (SEE SECTION 2.0.1)

C. Description of the goals of the service

The goal of this service is to provide a safe, nurturing environment for minors who have been ordered by the court and/or referred to participate in a residential program. Programs shall provide clients with a safe, clean, supportive, well supervised environment in which minors can develop the tools and skills needed to function in society as young adults. Services should also be reflective of the court's balanced and restorative justice philosophy, and the juvenile justice reform effort with emphasis on best practices/evidence-based practices, collaboration and cultural competency. The goals of balanced and restorative justice are accountability, competency development, and public safety.

D. Description of the target population to be served

Juveniles between the ages of 12 to 17 years who are adjudicated or non-adjudicated for law violations and/or status offenses.

E. Geographic coverage of service

First Circuit - Island of Oahu
Second Circuit - Islands of Maui, Molokai, and Lanai
Third Circuit - Island of Hawaii
Fifth Circuit - Island of Kauai

Separate proposals shall be submitted for each circuit.

F. Probable funding amounts, source, and period of availability

Probable funding amounts:

<u>FY 2020</u>	<u>FY 2021</u>	<u>FY 2022</u>	<u>FY 2023</u>
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Funding amounts are not being stated at this time. Applicants should propose funding amounts in their proposals based on their best estimate of the cost of providing the services described in these specifications.

Funding source: State General Fund

Period of availability: The Judiciary intends to award a multi-term contract. The aggregate term of the contract shall not exceed four (4) years, e.g., July 1, 2019 to June 30, 2023, subject to the appropriation and availability of funds and satisfactory contract performance. Funds are available for only the initial term of the contract which is for 2 years.

2.6.2 General Requirements

A. Specific qualifications or requirements, including but not limited to licensure or accreditation

1. The applicant shall have licenses and certificates, as applicable, in accordance with federal, state and county regulations, and comply with all applicable Hawaii Administrative Rules.
2. The applicant must have demonstrated its competence or qualifications to perform the required services and shall have a minimum one year experience in the provision of services.
3. The applicant must have an accounting system, with acceptable accounting practices and standards.
4. The proposed service must meet all required state licensing or certification standards and provide assurances of fair hearing and grievance procedures for clientele, civil rights compliance, information safeguarding practices, and proof of insurance coverages as applicable. Applicants must also demonstrate a commitment to be compliant with the PREA standards.
5. The applicant shall submit in a timely manner upon request by the Judiciary, any additional information needed by the Judiciary to make a decision on the applicant's proposal. The Judiciary may request an oral discussion or presentation in support of the proposal. On-site visits may be made.
6. The applicant shall comply with the Chapter 103F, HRS Cost Principles for Purchases of Health and Human Services identified in SPO-H-201 (Effective 10/01/98), which can be found on the SPO website (see Section 5, ProposalApplication Checklist, for the website address).

B. Secondary purchaser participation

(Refer to §3-143-608, HAR)

After-the-fact secondary purchases will be allowed.

C. Multiple or alternate proposals

(Refer to §3-143-605, HAR)

☐ Allowed ☒ Unallowed

For the First Circuit only, multiple proposals are allowed for applicants submitting proposals for both service activities. For the Second and Fifth Circuits, multiple and alternate proposals are unallowed.

D. Single or multiple contracts to be awarded

(Refer to §3-143-206, HAR)

☐ Single ☐ Multiple ☒ Single & Multiple

Multiple contracts may be awarded if such awards are deemed to be in the best interests of the Judiciary and will be based on the highest ranked proposals.

E. Single or multi-term contracts to be awarded

(Refer to §3-149-302, HAR)

☐ Single term (< 2 yrs) ☒ Multi-term (> 2 yrs.)

A multi-term contract will be awarded based on a determination that it is in the best interest of the Judiciary. The initial term of the contract shall be for two (2) years. Funds are available for only the initial term of the contract. The contract may be extended for another two (2) years, subject to appropriation and availability of funds and satisfactory performance of services by provider. Execution of a contract amendment is required to extend the contract for another term. The aggregate term of the contract shall not exceed four (4) years, e.g., July 1, 2019, to June 30, 2023. If it is determined that it is not in the best interest of the Judiciary to award a multi-term contract, a single-term contract will be awarded.

F. RFP contact persons

The individuals listed below are the points of contact from the date of release of this RFP until the selection of the winning provider or providers. Written questions should be submitted to the RFP contact person(s) and received on or before the day and time specified in Section 1.1 (Procurement Timetable) of this RFP.

If you have any technical questions regarding the requested services, please call the following individual:

Judiciary Contracts & Purchasing Office
Tritia Cruz at (808) 538-5805 fax: (808) 538-5802
Tritia.L.Cruz@courts.hawaii.gov

If you have any programmatic questions regarding the requested services, please call the following individual:

Oahu:	Family Court, First Circuit Anona Gabriel at (808) 954-8275 Anona.L.Gabriel@courts.hawaii.gov	fax: (808) 954-8308
Maui:	Special Services Branch, Second Circuit Alysha Stephenson at (808) 244-2772 Alysha.R.Stephenson@courts.hawaii.gov	fax: (808) 244-2870
Hawaii:	Third Circuit Court Grayson Hashida at (808) 443-2201 Grayson.K.Hashida@courts.hawaii.gov	fax: (808) 443-2222
Kauai:	Family Court, Fifth Circuit Kari Yamashiro at (808) 482-2428 Kari.L.Yamashiro@courts.hawaii.gov	fax: (808) 482-2422

2.6.3 Scope of Work

The scope of work encompasses the following tasks and responsibilities:

A. Service Activities (Minimum and/or mandatory tasks and responsibilities)

Services are being requested for a residential facility for youth who require a safe, monitored, and structured living environment. For First Circuit only, separate proposals shall be submitted for each service activity if applying for both.

Specific needs include but are not limited to:

1. Services for adjudicated minors who require residential placement with minimal supervision. Services are to include psycho-social assessment and evaluation, psycho-education training to counseling and training designed to prepare the older adolescent for self-sufficiency and independence, survival skills, personal skills, recreational activities, transportation, basic household and money management, employment, and related skills.
2. Services for adjudicated minors who require a highly structured residential placement to address chronic emotional and behavioral problems. Services are to include counseling and interventions to improve or enhance social, personal, or

problem solving skills, counseling and interventions to increase self-discipline, responsibility and self control.

Applicants may submit proposals to do one or all of the above services.

B. Management Requirements (Minimum and/or mandatory requirements)

1. Personnel

- a. The applicant shall possess and document knowledge, capacity, skills, and experience in working with the targeted population.
- b. The applicant shall conduct a State and Federal fingerprint- based criminal history record check for any person, including, but not limited to any officer, employee, volunteer or subcontractor, who performs work or services which necessitates close proximity to or unsupervised access to vulnerable clients such as children, disabled, and/or the elderly, or other program related vulnerable clients. In addition, the applicant will conduct a search of the State and National Sex Offender Registries, <http://sexoffenders.ehawaii.gov> (State Sex Offender Registry) and the www.nsopr.gov (National Sex Offender Public Registry). The minimum record check will be conducted once every four years for each person, and/or at the outset of the contract period if such checks have never been conducted. Further, the applicant will ensure the continued suitability of any officer, employee, volunteer or subcontractor to work or provide services to vulnerable clients. Results of all criminal history record inquiries conducted shall be placed in the employee's or volunteer's personnel file and shall be available to Judiciary for review. The applicant further shall have a written plan for addressing any findings that result from a criminal history record check that may affect the treatment milieu (e.g. actively under the supervision of any criminal justice agency, convicted sex offenders). Prior to commencing any work or services on the contract, the applicant shall ensure that any officer, employee, volunteer or subcontractor is suitable to be performing work or services in close proximity to or with unsupervised access to children, disabled, and/or elderly clients will be of reputable and responsible character and will not pose a risk to the health, safety, security, or well-being of clients, staff and the general public.
- c. The applicant shall have on the premises at least one person currently certified in First Aid and CPR.

- d. The Applicant shall maintain documentation for each employee of an initial and annual tuberculosis (TB) skin test or chest X-ray.
- e. The staff and volunteers, if used by the applicant, shall be under the supervision of the program director or his or her designee and shall, accordingly, be trained in client confidentiality issues and program quality assurance requirements.
- f. Applicants shall describe its program for increasing clinical staff competencies in the acquisition of evidence-based, offender-oriented treatment. At a minimum, applicants shall demonstrate how direct care staff will be assisted in understanding and applying the risk-need-responsivity principles in their treatment of offenders, as well as the stages of change, motivating the client toward change and behavioral treatment.

2. Administrative

- a. The applicant shall establish and implement policies and procedures which clearly identify the target population for each type of service, the program content, and methods of service delivery.
- b. Court testimony by an applicant representative shall be provided as needed.

3. Quality assurance and evaluation specifications

- a. The applicant shall have a quality assurance plan which identifies the mission of the organization, what services will be provided, how they are delivered, who is qualified to deliver the services, who is eligible to receive the services, and what standards are used to assess or evaluate the quality and utilization of services.
- b. Program evaluation should reflect the documentation of the achievement of the stated goals, using tools and measures consistent with the professional standards of the disciplines involved in the delivery of services.
- c. Applicants shall agree, by contract, to be willing to undergo a program assessment and/or audit designed to assess applicant's implementation of effective practices in working with offenders. Based on the assessment/audit report, the vendor will develop in concert with the contracting agency, an action plan to address areas which need improvement. There should be at least one quality improvement activity completed annually.

- d. Applicants shall provide all program monitoring, assessments and/or evaluation reports completed within the last two years.
- e. For Second Circuit, contract compliance may be monitored by conducting site visits and reviews without prior notice.

4. Output and performance/outcome measurements

- a. Output: The applicant shall record unduplicated clients served. The unduplicated client count shall be recorded in the applicant's quarterly reports, culminating in a final unduplicated client count on the applicant's final report.
- b. Outcome: The applicant shall propose measurement tools by which effectiveness of the services may be determined, as well as utilize any provided by the Judiciary.

5. Reporting requirements for program and fiscal data

- a. The applicant shall submit written quarterly and year-end reports summarizing output and outcome data, performance accomplishments, challenges, and actual expenditures. Quarterly reports are due 30 days after the end of the quarter. Final reports are due 45 days after the end of each fiscal year and/or at the end of the contract period, as applicable.
- b. Reports shall consist of a statement by the applicant relating to the work accomplished during the reporting period and shall include statements of the nature of the work performed, identification of persons served by the applicant during the reporting period, identification of any immediate problems encountered during the reporting period, and any recommendations deemed pertinent by the applicant, as well as a statement of what activities are proposed to be accomplished during the next reporting period. In addition to the written progress reports, the applicant, upon request, shall be required to meet with representatives of the Judiciary to discuss the progress of the work required.
- c. The applicant shall, at the completion of the contract period, submit a final written report to the Judiciary. The report shall include documentation of the applicant's overall effort towards meeting the program goals and objectives, to include information on the outcome(s) of quality improvement activities in which the program is engaged. Furthermore, the applicant shall furnish any additional reports or information that the Judiciary may from time to time require or request.

6. Pricing or pricing methodology to be used

Negotiated unit of service or fixed price.

7. Units of service and unit rate

Estimated number of units of service:

Oahu: 2 - 3 bed spaces per day

Maui: 90 bed days per year

Hawaii: 3 bed space per day

Kauai: 1 bed space per day

2.6.4 Facilities

- A. Applicants shall provide a description of its facilities and its conduciveness to the treatment being provided.
- B. Facilities shall comply with all federal, state, and county laws, ordinances, codes, rules and regulations.

2.7 SVC SPEC TITLE: Juvenile Client and Family Services
JCFSO - Juvenile Sex Offender Treatment Services

2.7.1 Introduction

A & B. - (SEE SECTION 2.0.1)

C. Description of the goals of the service

Juvenile sex offender specific assessment and treatment services are needed by the Judiciary for court adjudicated youth, to address and reduce their deviant, abusive behaviors (including any unresolved victimization trauma issues), and to improve community safety by preventing further victimization. Hereafter, juvenile sex offenders will be referred to as youth who have committed a sexual offense (YSO) or youth with sexualized misbehaviors.

D. Description of the target population to be served

Adjudicated juveniles and adults, up to the age of 18 and/or clinical discharge; males and females.

E. Geographic coverage of service

Service areas include the following:

First Circuit -- Island of Oahu

Second Circuit--Islands of Maui, Molokai and Lanai

Third Circuit--Island of Hawaii

Fifth Circuit--Island of Kauai

Separate proposals shall be submitted for each circuit. The applicant shall demonstrate actual capacity to provide the required services in the service area for which it is applying.

F. Probable funding amounts, source, and period of availability

Probable funding amounts:

FY 2020

FY 2021

FY 2022

FY 2023

Funding amounts are not being stated at this time. Applicants should propose funding amounts in their proposals based on their best estimate of the cost of providing the services described in these specifications.

Funding source: State General Funds

Period of availability: The Judiciary intends to award a multi-term contract. The aggregate term of the contract shall not exceed four (4) years, e.g., July 1, 2019 to June 30, 2023, subject to the appropriation and availability of funds and satisfactory contract performance. Funds are available for only the initial term of the contract which is for 2 years.

2.7.2 General Requirements

A. Specific qualifications or requirements, including but not limited to licensure or accreditation.

1. The applicant shall have licenses and certificates, as applicable, in accordance with federal, state and county regulations, and comply with all applicable Hawaii Administrative Rules.
2. The applicant must have demonstrated competence or qualifications to perform the required services.
3. The applicant must have an accounting system, with acceptable accounting practices and standards.
4. The proposed service must meet all required state licensing or certification standards, provide assurances of fair hearing and grievance procedures for clientele, civil rights compliance, information safeguarding practices, and provide proof of insurance coverages as applicable.
5. The applicant shall submit in a timely manner upon request by the Judiciary, any additional information needed by the Judiciary to make a decision on the applicant's proposal. The Judiciary may request an oral discussion or presentation in support of the proposal. On-site visits may be made and requests will be made in advance.
6. The applicant shall comply with the Chapter 103F, HRS Cost Principles for Purchases of Health and Human Services identified in SPO-H-201 (Effective 10/01/98), which can be found on the SPO website (See Section 5, POS Application Checklist, for the website address).

B. Secondary purchaser participation (Refer to §3-143-608, HAR)

After-the-fact secondary purchases will be allowed.

C. Multiple or alternate proposals

(Refer to §3-143-605, HAR)

☐ Allowed ☒ Unallowed

D. Single or multiple contracts to be awarded

(Refer to §3-143-206, HAR)

☐ Single ☐ Multiple ☒ Single & Multiple

Multiple contracts may be awarded if such awards are deemed to be in the best interest of the Judiciary, and will be based on the highest ranked proposals.

E. Single or multi-term contracts to be awarded

(Refer to §3-149-302, HAR)

☐ Single term (< 2 yrs.) ☒ Multi-term (> 2 yrs.)

A multi-term contract will be awarded based on a determination that it is in the best interest of the Judiciary. The initial term of the contract shall be for two (2) years. Funds are available for only the initial term of the contract. The contract may be extended for another two (2) years, subject to appropriation and availability of funds and satisfactory performance of services by provider. Execution of a contract amendment is required to extend the contract for another term. The aggregate term of the contract shall not exceed four (4) years, e.g., July 1, 2019 to June 30, 2023. If it is determined that it is not in the best interest of the Judiciary to award a multi-term contract, a single-term contract will be awarded.

F. RFP contact persons

The individuals listed below are the points of contact from the date of release of this RFP until the selection of the winning provider or providers. Written questions should be submitted to the RFP contact person(s) and received on or before the day and time specified in Section 1.1 (Procurement Timetable) of this RFP.

If you have any technical questions regarding the requested services, please call the following individual:

Judiciary Contracts and Purchasing Office
Tritia Cruz at (808) 538-5805 fax: (808) 538-5802
Tritia.L.Cruz@courts.hawaii.gov

If you have any programmatic questions regarding the requested services, please call the following individual.

Oahu: Family Court, First Circuit
[Anona Gabriel at \(808\) 954-8275](mailto:Anona.L.Gabriel@courts.hawaii.gov) fax: (808) 954-8308
Anona.L.Gabriel@courts.hawaii.gov

Maui: Special Services Branch, Second Circuit
Alysha Stephenson at (808) 244-2772 fax: (808) 244-2870
Alysha.R.Stephenson@courts.hawaii.gov

Hawaii: Family Court, Third Circuit
Aolani Mills at (808) 322-8726 fax: (808) 961-7671
Aolani.M.Mills@courts.hawaii.gov

Family Court, Third Circuit
Randi Cooper at (808) 961-7685 fax: (808) 961-7671
Randi.L.Cooper@courts.hawaii.gov

Kauai: Family Court, Fifth Circuit
Administrator, Juvenile Client Services Branch
Kari Yamashiro at (808) 482-2428 fax: (808) 482-2422
Kari.L.Yamashiro@courts.hawaii.gov

2.7.3 Scope of Work

The scope of work encompasses the following tasks and responsibilities:

A. Service Activities (Minimum and/or mandatory tasks and responsibilities)

For youth with sexually abusive behaviors, specific treatment services are needed to provide the Judiciary and the community with a comprehensive approach in dealing with juveniles who are sentenced or directed by the court to obtain such treatment. Services will include but not be limited to psychosexual/victimization trauma evaluation and treatment, individual/group/family sessions, polygraph testing for assessment and treatment purposes, psycho-educational training, and an aftercare program. Applicants must demonstrate understanding and ability to adhere to the standards and guidelines of the Sex Offender Management Team (SOMT) as well as incorporate best practices/evidence-based practices in sexually abusive behaviors intervention services with youth. Best practices/evidence-based practices are defined as a body of contemporaneous empirical research findings that produce the most effective outcomes for youth involved in sexually abusive behaviors, has literature to support the practices, is supported by national

consensus, has a system for implementing and maintaining program integrity, and conformance to ethical/professional standards.

New guidelines/standards for the assessment and treatment of youth with sexually abusive behaviors may be developed by Sex Offender Management Team (SOMT) during the course of the contract and will be implemented upon negotiation to the satisfaction of both the contracting agency and the applicant.

Services should also be reflective of the court's balanced and restorative justice philosophy and the guiding principles of Juvenile Detention Alternative Initiative (JDAI). The goals of balanced and restorative justice are accountability, competency development and public safety. The needs and interests of the offender, victim, and the community should be considered as part of the program. JDAI principles are complementary in that it can help shape and guide jurisdiction's practice through collaboration and a continuum of services that are culturally competent, relevant and accessible to the youth they serve.

Applicants shall ensure that clinical supervision over program activities and on-going training are provided.

B. Management Requirements (Minimum and/or mandatory requirements)

1. Personnel

- a. The applicant shall possess and document knowledge, capacity, skills and experience in working with the targeted population as noted in Section 2.7.3.A.
- b. The applicant shall conduct a State and Federal fingerprint- based criminal history record check for any person, including, but not limited to any officer, employee, volunteer or subcontractor, who performs work or services which necessitates close proximity to or unsupervised access to vulnerable clients such as children, disabled, and/or the elderly, or other program related vulnerable clients. In addition, the applicant will conduct a search of the State and National Sex Offender Registries, <http://sexoffenders.ehawaii.gov> (State Sex Offender Registry) and the www.nsopr.gov (National Sex Offender Public Registry). The minimum record check will be conducted once every four years for each person, and/or at the outset of the contract period if such checks have never been conducted. Further, the applicant will ensure the continued suitability of any officer, employee, volunteer or subcontractor to work or provide services to vulnerable clients. Results of all criminal history record inquiries conducted shall be

placed in the employee's or volunteer's personnel file and shall be available to Judiciary for review. The applicant further shall have a written plan for addressing any findings that result from a criminal history record check that may affect the treatment milieu (e.g. actively under the supervision of any criminal justice agency, convicted sex offenders). Prior to commencing any work or services on the contract, the applicant shall ensure that any officer, employee, volunteer or subcontractor is suitable to be performing work or services in close proximity to or with unsupervised access to children, disabled, and/or elderly clients will be of reputable and responsible character and will not pose a risk to the health, safety, security, or well-being of clients, staff and the general public.

- c. The applicant shall have on the premises at least one person currently certified in First Aid and CPR.
- d. The Applicant shall maintain documentation for each employee of an initial and annual tuberculosis (TB) skin test or chest X-ray.
- e. The staff and volunteers, if used by the applicant, shall be under the supervision of the program director or his or her designee and shall, accordingly, be trained in client confidentiality issues and program quality assurance requirements.
- f. Applicants shall describe its program for increasing clinical staff competencies in sex offense specific treatment and the acquisition of evidence-based, offender-oriented treatment. At a minimum, applicants shall demonstrate how direct care staff will be assisted in understanding and applying the risk-need-responsivity principles in their treatment of offenders, as well as the stages of change, motivating the client toward change and behavioral treatment.

2. Administrative

- a. The applicant shall establish and implement policies and procedures which clearly identify the target population for each type of service, the program content, and methods of service delivery.
- b. Court testimony by an applicant representative shall be provided as needed.

3. Quality assurance and evaluation specifications

- a. The applicant shall have a quality assurance plan which identifies the mission of the organization, what services will be provided, how they are delivered, who is qualified to deliver the services, who is eligible to receive the services, and what standards are used to assess or evaluate the quality and utilization of services.
- b. Program evaluation should reflect the documentation of the achievement of the stated goals, using tools and measures consistent with the professional standards of the disciplines involved in the delivery of services.
- c. Applicants shall agree, by contract, to be willing to undergo a program assessment and/or audit designed to assess applicant's implementation of effective practices in working with offenders. Based on the assessment/audit report, the vendor will develop in concert with the contracting agency, an action plan to address areas which need improvement. There should be at least one quality improvement activity completed annually.
- d. Applicants shall provide all program monitoring, assessments and/or evaluation reports completed within the last two years.

4. Output and performance/outcome measurements

- a. Output: The applicant shall record unduplicated clients served. The unduplicated client count shall be recorded in the applicant's quarterly reports, culminating in a final unduplicated client count on the applicant's final report.
- b. Outcome: The applicant shall propose measurement tools by which effectiveness of the services may be determined, as well as utilize any provided by the Judiciary.

5. Reporting requirements for program and fiscal data

- a. The applicant shall submit written quarterly and year-end reports summarizing output and outcome data, performance accomplishments, challenges, and actual expenditures. Quarterly reports are due 30 days after the end of the quarter. Final reports are due 45 days after the end of each fiscal year and/or at the end of the contract period, as applicable.

- b. Reports shall consist of a statement by the provider relating to the work accomplished during the reporting period and shall include statements of the nature of the work performed, identification of persons served by the provider during the reporting period, identification of any immediate problems encountered during the reporting period, and any recommendations deemed pertinent by the provider, as well as a statement of what activities are proposed to be accomplished during the next reporting period. In addition to the written progress reports, the provider, upon request, shall be required to meet with representatives of the Judiciary to discuss the progress of the work required.
- c. The applicant shall, at the completion of the contract period, submit a final written report to the Judiciary. The report shall include documentation of the provider's overall effort towards meeting the program goals and objectives, to include information on the outcome(s) of quality improvement activities in which the program is engaged. Furthermore, the provider shall furnish any additional reports or information that the Judiciary may from time to time require or request.

6. Pricing or pricing methodology to be used

Oahu – Negotiated unit of service for treatment services, and unit of service for psychosexual evaluations.

Maui, Molokai, Lanai-Negotiated unit of service or fixed price. If a proposal is submitted for fixed price, the applicant shall also submit unit of services rates for each service activity.

Hawaii-Negotiated unit of service or fixed price.

Kauai-Negotiated unit of service or fixed price.

7. Units of service and unit rate

Estimated number of treatment slots (per year):

Oahu:	20-50 juveniles
Maui:	10-15 juveniles
Hawaii:	15-25 juveniles
Kauai:	10-15 juveniles

Applicants are to include in their proposed funding the estimated time frame of assessment completion, amount per assessment, the average length of treatment/intervention services, the amount per unit per person and per group.

2.7.4 Facilities

- A. Applicants shall provide a description of its facilities and its conduciveness to the treatment being provided.
- B. Facilities shall comply with all federal, state, and county laws, ordinances, codes, rules and regulations.

2.8 SVC SPEC TITLE: Juvenile Client and Family Services JCFSS-Shelter Services

2.8.1 Introduction

A & B. - (SEE SECTION 2.0.1)

C. Description of the goals of the service

The goal of the service is to assist juveniles to resolve various problems and conflicts, help them learn socially acceptable behaviors and function in the community as law-abiding citizens. Services should also be reflective of the court's balanced and restorative justice philosophy, and the guiding principles of the Juvenile Detention Alternative Initiative (JDAI). The goals of balanced and restorative justice are accountability, competency development, and public safety. JDAI principles are complementary in that it can help shape and guide jurisdiction's practice through collaboration and a continuum of services that are culturally competent, relevant and accessible to the youth they serve and reduce the reliance on unnecessary confinement in secured detention.

D. Description of the target population to be served

Juveniles between the ages of 12 to 17 years who are adjudicated or non-adjudicated for law violations and/or status offenses.

E. Geographic coverage of service

Service areas include the following:

First Circuit - Island of Oahu

Second Circuit - Island of Maui, Molokai, & Lanai

Third Circuit - Island of Hawaii

Fifth Circuit - Island of Kauai

Separate proposals shall be submitted for each circuit.

F. Probable funding amounts, source, and period of availability

Probable funding amounts:

FY 2020

FY 2021

FY 2022

FY 2023

Funding amounts are not being stated at this time. Applicants should propose funding amounts in their proposals based on their best estimate of the cost of

providing the services described in these specifications.

Funding source: State General Funds.

Period of availability: The Judiciary intends to award a multi-term contract. The aggregate term of the contract shall not exceed four (4) years, e.g., July 1, 2019 to June 30, 2023, subject to the appropriation and availability of funds and satisfactory contract performance. Funds are available for only the initial term of the contract which is for 2 years.

2.8.2 General Requirements

A. Specific qualifications or requirements, including but not limited to licensure or accreditation.

1. The applicant shall have licenses and certificates, as applicable, in accordance with federal, state and county regulations, and comply with all applicable Hawaii Administrative Rules.
2. The applicant must have demonstrated competence or qualifications to perform the required services and shall have a minimum one year experience in the provision of services.
3. The applicant must have an accounting system, with acceptable accounting practices and standards.
4. The proposed service must meet all required state licensing or certification standards and provide assurances of fair hearing and grievance procedures for clientele, civil rights compliance, information safeguarding practices, and proof of insurance coverages as applicable. Applicant must also demonstrate a commitment to comply with PREA standards.
5. The applicant shall submit in a timely manner upon request by the Judiciary, any additional information needed by the Judiciary to make a decision on the applicant's proposal. The Judiciary may request an oral discussion or presentation in support of the proposal. On-site visits may be made.
6. The applicant shall comply with Chapter 103F, HRS Cost Principles for Purchases of Health and Human Services identified in SPO-H-201 (Effective 10/01/98), which can be found on the SPO website (See Section 5, Proposal Application Checklist, for the website address).

B. Secondary purchaser participation
(Refer to §3-143-608, HAR)

After-the-fact secondary purchases will be allowed.

C. Multiple or alternate proposals
(Refer to §3-143-605, HAR)

☐ Allowed ☒ Unallowed

D. Single or multiple contracts to be awarded
(Refer to §3-143-206, HAR)

☐ Single ☐ Multiple ☒ Single & Multiple

Multiple contracts may be awarded if such awards are deemed to be in the best interest of the Judiciary and will be based on the highest ranked proposals.

E. Single or multi-term contracts to be awarded
(Refer to §3-149-302, HAR)

☐ Single term (< 2 yrs) ☒ Multi-term (> 2 yrs.)

A multi-term contract will be awarded based on a determination that it is in the best interest of the Judiciary. The initial term of the contract shall be for two (2) years. Funds are available for only the initial term of the contract. The contract may be extended for another two (2) years, subject to appropriation and availability of funds and satisfactory performance of services by provider. Execution of a contract amendment is required to extend the contract for another term. The aggregate term of the contract shall not exceed four (4) years, e.g., July 1, 2019 to June 30, 2023. If it is determined that it is not in the best interest of the Judiciary to award a multi-term contract, a single-term contract will be awarded.

F. RFP contact persons

The individuals listed below are the points of contact from the date of release of this RFP until the selection of the winning provider or providers. Written questions should be submitted to the RFP contact person(s) and received on or before the day and time specified in Section 1.1 (Procurement Timetable) of this RFP.

If you have any technical questions regarding the requested services, please call the following individual:

Judiciary Contracts & Purchasing Office
Tritia Cruz at (808) 538-5805 Fax: 538-5802
Tritia.L.Cruz@courts.hawaii.gov

If you have any programmatic questions regarding the requested services, please call the following individual:

Oahu: Family Court, First Circuit
[Anona Gabriel at \(808\) 954-8275](mailto:Anona.Gabriel@courts.hawaii.gov) fax: (808) 954-8308
Anona.L.Gabriel@courts.hawaii.gov

Maui: Special Services Branch, Second Circuit
Alysha Stephenson at (808) 244-2772 fax: (808) 244-2870
Alysha.R.Stephenson@courts.hawaii.gov

Hawaii: Family Court, Third Circuit
Aolani Mills at (808) 322-8726 fax: 322-8701
Program Specialist
Aolani.M.Mills@courts.hawaii.gov

Family Court, Third Circuit
Randi Cooper at (808) 961-7685 fax: (808) 961-7598
Juvenile Client Services Branch Administrator
Randi.L.Cooper@courts.hawaii.gov

Kauai: Family Court, Fifth Circuit
Administrator, Juvenile Client Services Branch
Kari Yamashiro at (808) 482-2428 fax: (808) 482-2422
Kari.L.Yamashiro@courts.hawaii.gov

2.8.3 Scope of Work

The scope of work encompasses the following tasks and responsibilities:

A. Service Activities (Minimum and/or mandatory tasks and responsibilities)

Services are being requested for a temporary shelter for youth who require a safe, culturally sensitive, monitored living environment while awaiting return to their own homes, placement in a substitute home, treatment program, or alternative living arrangement.

1. Specific needs include, but are not limited to:
 - a. The ability to accept referrals within one (1) hour;
 - b. Accommodation of juveniles up to thirty (30) days, with the possibility of extensions;
 - c. A counseling component to address individual client needs as appropriate;

Oahu: Counseling component may include cognitive behavioral interventions, i.e. skill building, problem solving and decision making skills; and discharge planning involving minor, parent/caretaker and probation officer immediately upon admission into the shelter facility and subsequent follow-up with parties to ensure timelines.
 - d. Transportation; education and medical needs.
 - e. Twenty-four (24) hour supervision by responsible adult staff at an appropriate level to minimize clients' unauthorized departure.
2. Family Court will retain sole authority to screen, determine admissibility, and to control placement.

B. Management Requirements (Minimum and/or mandatory requirements)

1. Personnel

- a. The applicant shall possess and document knowledge, capacity, skills and experience in working with the targeted population.
- b. The applicant shall conduct a State and Federal fingerprint- based criminal history record check for any person, including, but not limited to any officer, employee, volunteer or subcontractor, who performs work or services which necessitates close proximity to or unsupervised access to vulnerable clients such as children, disabled, and/or the elderly. In addition, the applicant will conduct a search of the State and National Sex Offender Registries, <http://sexoffenders.ehawaii.gov> (State Sex Offender Registry) and the www.nsopr.gov (National Sex Offender Public Registry). The minimum record check will be conducted once every four years for each person, and/or at the outset of the contract period if such

checks have never been conducted. Further, the applicant will ensure the continued suitability of any officer, employee, volunteer or subcontractor to work or provide services to vulnerable clients. Results of all criminal history record inquiries conducted shall be placed in the employee's or volunteer's personnel file and shall be available to Judiciary for review. The applicant further shall have a written plan for addressing any findings that result from a criminal history record check that may affect the treatment milieu (e.g. actively under the supervision of any criminal justice agency, convicted sex offenders). Prior to commencing any work or services on the contract, the applicant shall ensure that any officer, employee, volunteer or subcontractor is suitable to be performing work or services in close proximity to or with unsupervised access to children, disabled, and/or elderly clients will be of reputable and responsible character and will not pose a risk to the health, safety, security, or well-being of clients, staff and the general public.

- c. The applicant shall have on the premises at least one person currently certified in First Aid and CPR.
- d. The Applicant shall maintain documentation for each employee of an initial and annual tuberculosis (TB) skin test or chest X-ray.
- e. The staff and volunteers, if used by the applicant, shall be under the supervision of the program director or his or her designee and shall, accordingly, be trained in client confidentiality issues and program quality assurance requirements.
- f. The applicant must have sufficient and relevant training and staff development.

2. Administrative

The applicant shall establish and implement policies and procedures which clearly identify the target population for each type of service, the program content, and methods of service delivery.

3. Quality assurance and evaluation specifications

- a. The applicant shall have a quality assurance plan which identifies the mission of the organization, what services will be provided, how they are delivered, who is qualified to deliver the services, who is eligible to receive the services, and what standards are used

to assess or evaluate the quality and utilization of services.

- b. Program evaluation should reflect the documentation of the achievement of the stated goals, using tools and measures consistent with the professional standards of the disciplines involved in the delivery of services.
- c. Applicants shall agree, by contract, to be willing to undergo a program assessment and/or audit designed to assess applicant's implementation of effective practices in working with juvenile offenders. Based on the assessment/audit report, the vendor will develop in concert with the contracting agency, an action plan to address areas which need improvement. There should be at least one quality improvement activity completed annually.
- d. Applicants shall provide all program monitoring, assessments and/or evaluation reports completed within the last two years.
- f. For Second Circuit, contract compliance may be monitored by conducting site visits and reviews without prior notice.

4. Output and performance/outcome measurements

- a. Output: The applicant shall record unduplicated clients served. The unduplicated client count shall be recorded in the applicant's quarterly reports, culminating in a final unduplicated client count on the applicant's final report.
- b. Outcome: The applicant shall indicate measurement tools by which effectiveness of the services may be determined, as well as utilize any provided by the Judiciary.

5. Reporting requirements for program and fiscal data

- a. The applicant shall submit written quarterly and year-end reports summarizing output and outcome data, performance accomplishments, challenges, and actual expenditures. Quarterly reports are due 30 days after the end of the quarter. Final reports are due 45 days after the end of each fiscal year and/or at the end of the contract period, as applicable.
- b. Reports shall consist of a statement by the applicant relating to the work accomplished during the reporting period and shall include

statements of the nature of the work performed, identification of persons served by the applicant during the reporting period, identification of any immediate problems encountered during the reporting period, and any recommendations deemed pertinent by the applicant, as well as a statement of what activities are proposed to be accomplished during the next reporting period. In addition to the written progress reports, the applicant, upon request, shall be required to meet with representatives of the Judiciary to discuss the progress of the work required.

- c. The applicant shall, at the completion of the contract period, submit a final written report to the Judiciary. The report shall include documentation of the applicant's overall effort towards meeting the program goals and objectives, to include information on the outcome(s) of quality improvement activities in which the program is engaged. Furthermore, the provider shall furnish any additional reports or information that the Judiciary may from time to time require or request.

6. Pricing or pricing methodology to be used

Negotiated unit of service or fixed price.

7. Units of service and unit rate

Estimated number of units of service:

Oahu: 2 - 4 bed spaces per day

Maui: 365 bed days per year

Hawaii: Minimum of 3 bed spaces per day and may need additional bed spaces in excess of this number

Kauai: 123 bed days per year

**SVC SPEC TITLE: Juvenile Client and Family Services, First Circuit
JC1MED - Medical Services, First Circuit**

2.9.1 Introduction

A. & B. -(SEE SECTION 2.0.1)

C. Description of the goals of the service

The goal of this service is to provide juveniles being held at Hale Ho`omalua and Home Maluhia, the Family Court's detention and shelter facilities, with prompt trauma-informed medical assessments, treatment and referral services to ensure their well-being. Services should also be reflective of the court's balanced and restorative justice philosophy and the juvenile justice reform effort with emphasis on best practices/evidence-based practices, collaboration and cultural competency.

D. Description of the target population to be served

Juveniles between the ages of 12 to 17.

E. Geographic coverage of service

Oahu

F. Probable funding amounts, source, and period of availability

Probable funding amounts:

<u>FY 2020</u>	<u>FY 2021</u>	<u>FY 2022</u>	<u>FY 2023</u>
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Funding amounts are not being stated at this time. Applicants should propose funding amounts in their proposals based on their best estimate of the cost of providing the services described in these specifications.

Funding source: State General Fund

Period of availability: The Judiciary intends to award a multi-term contract. The aggregate term of the contract shall not exceed four (4) years, e.g., July 1, 2019 to June 30, 2023, subject to the appropriation and availability of funds and satisfactory contract performance. Funds are available for only the initial term of the contract which is for 2 years.

2.9.2 General Requirements

A. Specific qualifications or requirements, including but not limited to licensure or accreditation

1. The applicant shall have licenses and certificates, as applicable, in accordance with federal, state and county regulations, and comply with all applicable Hawaii Administrative Rules.
2. The applicant must have demonstrated its competence or qualifications to perform the required services.
3. The applicant must have an accounting system, with acceptable accounting practices and standards.
4. The proposed service must meet all required state licensing or certification standards, provide assurances of fair hearing and grievance procedures for clientele, civil rights compliance, information safeguarding practices, and provide proof of insurance coverages as applicable.
5. The applicant shall submit in a timely manner upon request by the Judiciary, any additional information needed by the Judiciary to make a decision on the applicant's proposal. The Judiciary may request an oral discussion or presentation in support of the proposal. On-site visits may be made.
6. The applicant shall comply with Chapter 103F, HRS Cost Principles for Purchases of Health and Human Services identified in SPO-H-201 (Effective 10/01/98), which can be found on the SPO website (See Section 5, Proposal Application Checklist, for the website address).

B. Secondary purchaser participation (Refer to §3-143-608, HAR)

After-the-fact secondary purchases are allowed.

C. Multiple or alternate proposals (Refer to §3-143-605, HAR)

☐ Allowed ☒ Unallowed

D. Single or multiple contracts to be awarded

(Refer to §3-143-206, HAR)

☒ Single ☐ Multiple ☐ Single & Multiple

E. Single or multi-term contracts to be awarded

(Refer to §3-149-302, HAR)

☐ Single term (< 2 yrs) ☒ Multi-term (> 2 yrs)

A multi-term contract will be awarded based on a determination that it is in the best interest of the Judiciary. The initial term of the contract shall be for two (2) years. Funds are available for only the initial term of the contract. The contract may be extended for another two (2) years, subject to appropriation and availability of funds and satisfactory performance of services by provider. Execution of a contract amendment is required to extend the contract for another term. The aggregate term of the contract shall not exceed four (4) years, e.g., July 1, 2019 to June 30, 2023. If it is determined that it is not in the best interest of the Judiciary to award a multi-term contract, a single-term contract will be awarded.

F. RFP contact persons

The individuals listed below are the points of contact from the date of release of this RFP until the selection of the winning provider or providers. Written questions should be submitted to the RFP contact person(s) and received on or before the day and time specified in Section 1.1 (Procurement Timetable) of this RFP.

If you have any technical questions regarding the requested services, please call the following individual:

Judiciary Contracts & Purchasing Office
Tritia Cruz at (808) 538-5805 fax: 538-5802
Tritia.L.Cruz@courts.hawaii.gov

If you have any programmatic questions regarding the requested services, please call the following individual:

Oahu: Family Court, First Circuit
Linda Kiyotoki at (808) 954-8224 Fax: 954-8308
Linda A. Kiyotoki@courts.hawaii.gov

2.9.3 Scope of Work

The scope of work encompasses the following tasks and responsibilities:

A. Service Activities (Minimum and/or mandatory tasks and responsibilities)

The provider will provide medical, consultative and emergency medical services, and administrative services to youth who are referred by the Family Court. Services to be provided 4 to 5 days a week by a licensed physician and include 24-hour emergency and consultative services.

I. Physician Services:

1. Physician Services will include the following types of services:

- a. Diagnosis and treatment of illnesses.
- b. Physical examinations for all new admits and those children entering foster home or institutional placements.
- c. Cooperation with the physician of a detained child for administration of medication or other procedures.
- d. First aid care for injuries.
- e. Minor surgical procedures.
- f. Taking of laboratory samples.
- g. Other medical treatments or referrals to outside providers deemed necessary for the health, safety and welfare of the detained child.

2. Consultative and emergency medical services

Shall be available on a 24 hour basis and may be rendered by telephone. In the case of emergencies, the applicant will be immediately available to facilitate a referral to an emergency room and to take whatever action is necessary to obtain the appropriate medical care, including hospitalization for the patient.

3. Administrative Services

At the request of the Family Court officers, the applicant will provide medical and other pertinent information from patients referred by the Facility. Further, applicant will, upon request, submit written reports to

the Judiciary describing medical findings, progress, tests and care for each patient.

II. Nursing Services:

The provider will provide nursing services to youth at Hale Hoomalu and Home Maluhia. Nursing services shall be available to the Judiciary three-hundred sixty-five (365) days per year on an on call/as needed basis, and will include the following types of services:

- a. Obtain medical history on all detainees and notes special health problems. Performs duties as required such as admissions, transfers, discharges, and making appointments with outside clinics and laboratories.
- b. Interview detainees complaining of physical illness; performs preliminary examination, screens patients to be seen by physician.
- c. Dress wounds. Renders first aid and nursing care to detainees and staff on accidents occurring on facility grounds; refer to physician if injury requires further care.
- d. Assists physician for emergency treatment. Initiates appropriate action such as starting resuscitative measures in an emergency situation when a physician is not present or immediately available.
- e. Observes and assesses patient's clinical condition; recognizes, identifies and interprets serious situations and immediately decides proper action, i.e. calls physician or starts preplanned emergency measures.
- f. Assists the physician in minor surgical procedures. Carries out order by physician for medications or treatment for detainees seen at the dispensary.
- g. Administers prescribed medications, gives intra muscular and oral medications, observes patients for adverse reactions and takes appropriate action.
- h. Continually assesses any changes based on observations of the patient's condition, receives the medical treatment plan, and brings to the attention of the physician any changes in the patient's condition.
- i. Orders medications and supplies; dispenses medical supplies. Writes out physician's medication and treatment instructions to staff; instructs staff

on the dispensing of medications, special diet needs, and care of individual detainees. Provides health care of detainees and staff on an individual basis. Recommends follow-up services; maintains up to date medical records for all detainees.

- j. Utilizes the physician orders and nursing standards of care related to redirecting behavior of the mentally ill and chemically dependent.
- k. Works closely with other members of the healthcare staff for formulation of the total care plan for specific patients.
- l. Observes and assesses patients closely for any significant behavioral changes. Documents changes in behavioral terms and notifies the mental health staff.

B. Management Requirements (Minimum and/or mandatory requirements)

1. Personnel

- a. The applicant shall possess and document knowledge, capacity, skills and experience in working with the targeted population.
- b. The applicant shall conduct a State and Federal fingerprint- based criminal history record check for any person, including, but not limited to any officer, employee, volunteer or subcontractor, who performs work or services which necessitates close proximity to or unsupervised access to vulnerable clients such as children, disabled, and/or the elderly , or other program related vulnerable clients . In addition, the applicant will conduct a search of the State and National Sex Offender Registries, <http://sexoffenders.ehawaii.gov> (State Sex Offender Registry) and the www.nsopr.gov (National Sex Offender Public Registry). The minimum record check will be conducted once every four years for each person, and/or at the outset of the contract period if such checks have never been conducted. Further, the applicant will ensure the continued suitability of any officer, employee, volunteer or subcontractor to work or provide services to vulnerable clients. Results of all criminal history record inquiries conducted shall be placed in the employee's or volunteer's personnel file and shall be available to Judiciary for review. The applicant further shall have a written plan for addressing any findings that result from a criminal history record check that may affect the treatment milieu (e.g. actively under the supervision of any criminal justice agency,

convicted sex offenders). Prior to commencing any work or services on the contract, the applicant shall ensure that any officer, employee, volunteer or subcontractor is suitable to be performing work or services in close proximity to or with unsupervised access to children, disabled, and/or elderly clients will be of reputable and responsible character and will not pose a risk to the health, safety, security, or well-being of clients, staff and the general public.

- c. The applicant shall have on the premises at least one person currently certified in First Aid and CPR.
- d. The staff and volunteers, if used by the applicant, shall be under the supervision of the program director or his or her designee and shall, accordingly, be trained in client confidentiality issues and program quality assurance requirements.
- e. The applicant must have sufficient and relevant training and staff development.

2. Administrative

The applicant shall establish and implement policies and procedures which clearly identify the target population for each type of service, the program content, and methods of service delivery.

3. Quality assurance and evaluation specifications

- a. The applicant shall have a quality assurance plan which identifies the mission of the organization, what services will be provided, how they are delivered, who is qualified to deliver the services, who is eligible to receive the services, and what standards are used to assess or evaluate the quality and utilization of services.
- b. Program evaluation should reflect the documentation of the achievement of the stated goals, using tools and measures consistent with the professional standards of the disciplines involved in the delivery of services.

4. Output and performance/outcome measurements

- a. Output: The applicant shall record unduplicated clients served. The unduplicated client count shall be recorded in the applicant's quarterly reports, culminating in a final unduplicated client count

on the applicant's final report.

- b. Outcome: The applicant shall propose measurement tools by which effectiveness of the services may be determined, as well as utilize any provided by the Judiciary.

5. Reporting requirements for program and fiscal data

- a. The provider shall submit written quarterly and year-end reports summarizing output and outcome data, performance accomplishments, challenges and actual expenditures. Quarterly reports are due 30 days after the end of the quarter. Final reports are due 45 days after the end of each fiscal year and/or at the end of the contract period, as applicable.
- b. Reports shall consist of a statement by the provider relating to the work accomplished during the reporting period and shall include statements of the nature of the work performed, identification of persons served by the provider during the reporting period, identification of any immediate problems encountered during the reporting period, and any recommendations deemed pertinent by the provider, as well as a statement of what activities are proposed to be accomplished during the next reporting period. In addition to the written progress reports, the provider, upon request, shall be required to meet with representatives of the Judiciary to discuss the progress of the work required.
- c. The provider shall, at the completion of the contract period, submit a final written report to the Judiciary. The report shall include documentation of the provider's overall effort towards meeting the program goals and objectives. Furthermore, the provider shall furnish any additional reports or information that the Judiciary may from time to time require or request.

6. Pricing or pricing methodology to be used

Fixed price.

7. Units of service and unit rate

Estimated numbers of slots required for the month: 45 (Oahu)

2.10 SVC SPEC TITLE: Juvenile Client and Family Services
JC125SA - Juvenile Substance Abuse Treatment Services

2.10.1 Introduction

A. & B. - (SEE SECTION 2.0.1)

C. Description of the goals of the service

The goal of the service is to provide juvenile offenders with the skills and knowledge to effectively deal with their use of alcohol and drugs in order to eliminate re-offending behaviors. Services should also be reflective of the court's balanced and restorative justice philosophy, and the juvenile justice reform effort with emphasis on best practices/evidence-based practices, collaboration, and cultural competency. The goals of balanced and restorative justice are accountability, competency development, and public safety.

D. Description of the target population to be served

Juveniles between the ages of 12 to 17 years who are referred for law violations and status offenses and youth up to age 18 under the jurisdiction of Family Court.

E. Geographic coverage of service

Service areas include the following:

First Circuit -- Island of Oahu

Second Circuit -- Islands of Maui, Molokai, & Lanai

Fifth Circuit -- Island of Kauai

Separate proposals shall be submitted for each circuit.

F. Probable funding amounts, source, and period of availability

Probable funding amounts:

FY 2020

FY 2021

FY 2022

FY 2023

Funding amounts are not being stated at this time. Applicants should propose funding amounts in their proposals based on their best estimate of the cost of providing the services described in these specifications.

Funding source: State General Funds and Federal Funds.

Period of availability: The Judiciary intends to award a multi-term contract. The aggregate term of the contract shall not exceed four (4) years, e.g., July 1, 2019 to

June 30, 2023, subject to the appropriation and availability of funds and satisfactory contract performance. All State funds are contingent on appropriation, and all Federal funds are contingent on the awarding of grant applications. Funds are available for only the initial term of the contract which is for 2 years.

2.10.2 General Requirements

A. Specific qualifications or requirements, including but not limited to licensure or accreditation.

1. The applicant shall have licenses and certificates, as applicable, in accordance with federal, state and county regulations, and comply with all applicable Hawaii Administrative Rules.
 - a. Residential programs, in accordance with Title 11, Chapter 98, Special Treatment Facility, must have a Special Treatment Facility license at the time of application and abide by applicable administrative rules governing accreditation of substance abuse programs.
2. The applicant must have demonstrated competence or qualifications to perform the required services and shall have a minimum one year experience in the provision of substance abuse treatment services.
3. The applicant must have an accounting system, with acceptable accounting practices and standards.
4. The proposed service must meet all required state licensing or certification standards, provide assurances of fair hearing and grievance procedures for clientele, civil rights compliance, information safeguarding practices, and provide proof of insurance coverage as applicable.
5. The applicant shall submit in a timely manner upon request by the Judiciary, any additional information needed by the Judiciary to make a decision on the applicant's proposal. The Judiciary may request an oral discussion or presentation in support of the proposal. On-site visits may be made.
6. The applicant shall comply with Chapter 103F, HRS Cost Principles for Purchases of Health and Human Services identified in SPO-H-201 (Effective 10/01/98), which can be found on the SPO website (See Section 5, Proposal Application Checklist, for the website address).
7. The applicant shall incorporate best practices/evidence-based practices in any substance abuse service. Best practices/evidence-based practices are defined as a body of contemporaneous empirical research findings that produce the most efficacious outcomes for persons with substance abuse problems, have a system for implementing and maintaining program integrity, and are in conformance to professional standards. For best practices in specific areas of substance abuse, the applicant may consult the Substance Abuse and Mental health Services Administration's (SAMHSA) Treatment Improvement Protocol Drug Addiction

Treatment Improvement Protocol Series (TIPS) and the National Institute on Drug Abuse (NIDA) Principles of Drug Addiction Treatment, and/or access the individual government agency websites.

B. Secondary purchaser participation
(Refer to §3-143-608, HAR)

After-the-fact secondary purchases will be allowed.

C. Multiple or alternate proposals
(Refer to §3-143-605, HAR)

☒ Allowed* ☒ Not allowed

*For the First Circuit only, multiple proposals are allowed for applicants who submit proposals for Outpatient/Intensive Outpatient services and Residential treatment services.

For the Second and Fifth Circuits, multiple and alternate proposals are **not** allowed.

D. Single or multiple contracts to be awarded
(Refer to §3-143-206, HAR)

☐ Single ☐ Multiple ☒ Single & Multiple

Multiple contracts may be awarded if such awards are deemed to be in the best interests of the Judiciary, and will be based on the highest ranked proposals.

E. Single or multi-term contracts to be awarded
(Refer to §3-149-302, HAR)

☐ Single term (< 2 yrs) ☒ Multi-term (> 2 yrs.)

A multi-term contract will be awarded based on a determination that it is in the best interest of the Judiciary. The initial term of the contract shall be for two (2) years. Funds are available for only the initial term of the contract. The contract may be extended for another two (2) years, subject to appropriation and availability of funds and satisfactory performance of services by provider. Execution of a contract amendment is required to extend the contract for another term. The aggregate term of the contract shall not exceed four (4) years, e.g., July 1, 2019 to June 30, 2023. If it is determined that it is not in the best interest of the Judiciary to award a multi-term contract, a single-term contract will be awarded.

F. RFP contact persons

The individuals listed below are the points of contact from the date of release of this RFP until the selection of the winning provider or providers. Written questions should be submitted to the RFP contact person(s) and received on or before the day and time specified in Section 1.1 (Procurement Timetable) of this RFP.

If you have any technical questions regarding the requested services, please call the following individual:

Judiciary Contracts & Purchasing Office
Tritia Cruz at (808) 538-5805 fax: (808) 538-5802
Tritia.L.Cruz@courts.hawaii.gov

If you have any programmatic questions regarding the requested services, please call the following individual:

Oahu: Family Court, First Circuit
Ramona Yano at (808) 954-8226 fax: (808) 954-8308
Ramona.H.Yano@courts.hawaii.gov

Maui: Client Services Division, Second Circuit
David Ortiz at (808) 244-2824 fax: (808) 244-2870
David.K.Ortiz@courts.hawaii.gov

Kauai: Drug Court, Fifth Circuit
Martin Steinhaus at (808) 482-2435 fax: (808) 482-2544
Martin.A.Steinhaus@courts.hawaii.gov

2.10.3 Scope of Work

The scope of work encompasses the following tasks and responsibilities:

A. Service Activities (Minimum and/or mandatory tasks and responsibilities)

Applicants may provide a comprehensive continuum of evidence-based offender-oriented treatment services to include Substance Abuse Assessments, Substance Abuse Education, Outpatient, Intensive Outpatient, and Residential Treatment to adolescents with alcohol and/or other drug related problems that are ordered or directed by the court to obtain such services. Clients in any level of treatment shall meet the most current version of the American Society for Addiction Medicine Patient Placement Criteria (ASAM-PPC) for admission, continuance, and discharge and documentation shall be included in the client's chart.

Applicants should also provide evidence of best practice standards in the delivery services to include but not limited to cultural and gender appropriate services. Must be able to demonstrate the ability to incorporate trauma informed care into the delivery of services, when deemed necessary.

Proposal must include demonstrated capacity in providing services to youth diagnosed with Fetal Alcohol Spectrum Disorders and youth with similar needs. Provider must be knowledgeable about FASD and the implications for service delivery and needed supports for afflicted youth.

Selected provider shall work with the referring Judiciary staff to individualize services based on the Youth Assessment and Screening Instrument (YASI) conducted by the Family Court. Criminogenic risk and needs assessed include the following domains: Legal History, Family, School, Community and Peers, Substance Abuse, Mental Health, Aggression, Attitudes, Skills, and Employment/Free time. Provider shall demonstrate capacity to provide cognitive behavioral interventions with the goal of increasing social skills and prosocial attitudes, as specifically identified in the YASI assessment.

For the First Circuit only, a proposal for Outpatient/Intensive Outpatient service is to include substance assessments and substance abuse education as part of the program, and a separate proposal is to be submitted for Residential program. For the Second and Fifth Circuits, applicants may propose the whole continuum or any part of the continuum.

1. **Substance Abuse Assessments.** Substance abuse assessments shall be completed or reviewed/approved by certified substance abuse counselors, program administrators certified pursuant to Section 321-193 (10), Hawaii Revised Statutes; or individuals who hold an advanced degree in a behavioral health science. Assessments shall be completed to determine the need for substance abuse treatment and provide a recommended level of service. Assessments will take into consideration client history of substance use; bio-medical conditions and complications; emotional, behavioral or cognitive conditions and complications; readiness to change; relapse, continued use or continued problem potential and recovery/living environment. If the juvenile is incarcerated at the time, the Applicant shall conduct the assessment at the institution (i.e. Detention Center and/or Hawaii Youth Correctional Facility). Assessments shall apply Diagnostic and Statistical Manual and the American Society of Addiction Medicine Patient Placement Criteria.
2. **Substance Abuse Education.** Substance Abuse Education shall provide clients with information pertaining to the pharmacology of substance abuse, lifestyle consequences, emotions management, coping skills and problem-solving training using cognitive behavioral techniques, treatment process, relapse prevention and abstinence maintenance training. The alcohol education and counseling program shall be for eight (8) to ten (10) hours and may include topics on the effects of alcohol on the brain and body, legal and social consequences, triggers to using,

etc. The applicant shall also provide a parent/guardian education and counseling program of not more than ten (10) hours.

3. **Outpatient/Intensive Outpatient Treatment.** Outpatient/Intensive Outpatient Treatment provides comprehensive non-residential services to adolescents with substance abuse problems. Program activities shall include professionally directed assessment, initial and updated treatment planning, crisis management plan, discharge plan, case management, individual and group counseling, substance abuse education, family counseling and support services. Services also shall include, skill building, recreational therapy, and family counseling. On-site UA testing may also be offered as an additional service.

Outpatient services shall provide between one (1) and (8) hours per client per week of face-to-face treatment, including one (1) hour of scheduled and documented individual counseling per client per month. Intensive Outpatient services shall provide nine (9) or more hours per week of face-to-face treatment services, including one (1) hour of scheduled and documented individual counseling per client per week.

4. **Residential Program.** Residential program provides a planned regimen of professionally directed evaluation, treatment, individual and group counseling, skill building, recreational activities, family services, case management, and other ancillary and special services. Every client must have an initial treatment plan with a meeting to include all parties of the client's treatment team, updated treatment plans, crisis management plan and discharge plan. A discharge meeting with all parties of the client's treatment team shall be conducted prior to the client's planned discharge date. Observation, monitoring, and treatment are available twenty-four (24) hours a day, seven days (7) a week. Clients shall have access to a Department of Education approved appropriate grade-level academic program while in treatment. Academic programming shall be an integral part of the client's treatment plan. Programs are to have access, either as paid staff or on a consultative basis, to a licensed psychiatrist or psychologist who is trained in child development, family systems, and substance abuse treatment. The treatment services and living quarters must be separate and specific for adolescents only, with no intermingling of adults and juveniles. Services required on a long-term basis, generally for four months and up to a year.
5. Applicants shall establish and implement policies and procedures for the following:
 - a. Applicants for Outpatient/Intensive Outpatient and Residential Treatment services shall provide written weekly progress reports for all drug or specialty court clients and/or as required by the coordinators of the respective courts. Written admission, monthly and discharge reports shall be provided to supervising probation officers. Written discharge reports

shall be provided no more than ten (10) working days after a client's discharge or earlier upon request of the supervising officer for court hearing purposes. Discharge reports shall include the dates of admission, treatment and termination; reasons for termination with explanation; discharge plans and recommendations (including recommendations for handling of client target behaviors, relapse prevention plans, possible sanctions, etc), when applicable. Applicants shall attach sample copies of report formats to be used for these purposes.

- b. The applicant shall have the capability and capacity to conduct alcohol and drug testing which may include urine, blood and/or hair sampling **(Applicable for Second and Fifth Circuits only).**

The applicant shall provide their written policies and procedures for such testing and shall describe the frequency and application of testing in treatment. Random and observed collections are required. The applicant shall insure that chain of custody and confidentiality issues are addressed appropriately. The applicant shall establish written testing, chain of custody and confidentiality procedures.

The Applicant shall identify instrumentation being utilized to conduct such testing and shall have the ability to do laboratory confirmation testing utilizing Gas Chromatography Mass Spectrometry or Liquid Chromatography Tandem Mass Spectrometry. Laboratories conducting such confirmation testing shall be Substance Abuse and Mental Health Services Administration and/or College of Addiction Pathologists – Forensic Urine Drug Testing certified. Confirmation testing at Limit of Quantitation levels is preferred.

Positive drug test results shall be reported immediately to the supervising agency/probation officer, and a summary of drug test results shall be included in the required weekly and monthly reports for each client to drug and specialty courts.

- c. Programs shall notify the supervising officer or program of any prospective major change in a client's status (i.e. potential discharge or level of care change) occurring before the scheduled reporting cycle. Program staff will participate in team meetings with the Judiciary when it is determined to be in the best interest of the client's treatment and adjustment.
- d. Applicants who provide Outpatient, Intensive Outpatient, and Residential treatment modalities shall develop and implement appropriate transition plans for each client prior to discharge with a meeting with all parties involved to come up with the transition plan. The plan shall address

transition and recover issues and relapse prevention, and shall be forwarded to the supervising officer.

- e. Applicants shall provide treatment transition assistance to the client in the event that treatment funding is terminated, i.e. referral to another program, referral back to the supervising officer, etc.
- f. Both residential and outpatient programs shall collaborate with other community agencies and resources, including but not limited to health, mental health, social, educational, vocational rehabilitation, and employment services for coordination and linkages with other services as part of the continuum of care.

B. Management Requirements (Minimum and/or mandatory requirements)

1. Personnel

- a. The applicant shall possess and document knowledge, capacity, skills and experience in working with the targeted population. Applicants shall ensure that clinical supervision over program activities is provided by Hawaii State certified substance abuse counselors (CSACs) pursuant to Section 321-193 (10), Hawaii Revised Statutes; or who hold an advanced degree in behavioral health science (clinical supervision).

CSACs and individuals who hold an advanced degree in behavioral health sciences preferably shall perform the following functions; however, non-CSACs or non-Masters level providers may be utilized as long as they are directly supervised* by a CSAC or Master level counselor and are working toward certification:

- Clinical evaluation
- Treatment planning
- Individual, group, and family counseling

*Direct supervision means a minimum of one hour supervision for every seven hours of performance. This involves teaching the supervisee about each core function of a substance abuse counselor, demonstrating how each core function is accomplished, the supervisee sitting in while the supervisor performs the function, the supervisee performing the function with the supervisor present, and finally, the supervisee performing the function independently, but with review and feedback from the supervisor. In addition, supervisees shall be required to attend ADAD-approved CSAC preparatory training when available.

Applicants shall describe its program for increasing clinical staff competencies in the acquisition of evidence-based, offender-oriented

treatment. At a minimum, applicants shall demonstrate how direct care staff will be assisted in understanding and applying the risk-need-responsivity principles in their treatment of offenders, as well as the stages of change, motivating the client toward change and behavioral treatment.

- b. The applicant shall conduct a State and Federal fingerprint- based criminal history record check for any person, including, but not limited to any officer, employee, volunteer or subcontractor, who performs work or services which necessitates close proximity to or unsupervised access to vulnerable clients such as children, disabled, and/or the elderly , or other program related vulnerable clients . In addition, the applicant will conduct a search of the State and National Sex Offender Registries, <http://sexoffenders.ehawaii.gov> (State Sex Offender Registry) and the www.nsopr.gov (National Sex Offender Public Registry). The minimum record check will be conducted once every four years for each person, and/or at the outset of the contract period if such checks have never been conducted. Further, the applicant will ensure the continued suitability of any officer, employee, volunteer or subcontractor to work or provide services to vulnerable clients. Results of all criminal history record inquiries conducted shall be placed in the employee's or volunteer's personnel file and shall be available to Judiciary for review. The applicant further shall have a written plan for addressing any findings that result from a criminal history record check that may affect the treatment milieu (e.g. actively under the supervision of any criminal justice agency, convicted sex offenders). Prior to commencing any work or services on the contract, the applicant shall ensure that any officer, employee, volunteer or subcontractor is suitable to be performing work or services in close proximity to or with unsupervised access to children, disabled, and/or elderly clients will be of reputable and responsible character and will not pose a risk to the health, safety, security, or well-being of clients, staff and the general public.
- c. The applicant shall have on the premises at least one person currently certified in First Aid and CPR.
- d. The applicant shall maintain documentation for each employee of an initial and annual tuberculosis (TB) skin test or chest X-ray.
- e. The staff and volunteers, if used by the applicant, shall be under the supervision of the program director or his or her designee and shall, accordingly, be trained in client confidentiality issues and program quality assurance requirements.

2. Administrative

- a. The applicant shall establish and implement policies and procedures which clearly identify the target population for each type of service, the program content, and methods of service delivery.

3. Quality assurance and evaluation specifications

- a. The applicant shall have a quality assurance plan which identifies the mission of the organization, what services will be provided, how they are delivered, who is qualified to deliver the services, who is eligible to receive the services, and what standards are used to assess or evaluate the quality and utilization of services.
- b. Program evaluation should reflect the documentation of the achievement of the stated goals, using tools and measures consistent with the professional standards of the disciplines involved in the delivery of services.
- c. Applicants shall agree, by contract, to be willing to undergo a program assessment and/or audit designed to assess applicant's implementation of effective practices in working with offenders with substance use problems. Based on the assessment/audit report, the vendor will develop in concert with the contracting agency, an action plan to address areas which need improvement. There should be at least one quality improvement activity completed annually.
- d. Applicants shall provide all program monitoring, assessments and/or evaluation reports completed within the last two years.

4. Output and performance/outcome measurements

- a. Output: The applicant shall record unduplicated clients served. The unduplicated client count shall be recorded in the applicant's quarterly reports, culminating in a final unduplicated client count on the applicant's final report.
- b. Outcome: The applicant shall propose measurement tools by which effectiveness of the services may be determined, as well as utilize any provided by the Judiciary

5. Reporting requirements for program and fiscal data

- a. The applicant shall submit written quarterly and year-end reports summarizing output and outcome data, performance accomplishments, challenges, and actual expenditures. Quarterly reports are due 30 days after the end of the quarter. Final reports are due 45 days after the end of each fiscal year and/or at the end of the contract period, as applicable.

- b. Reports shall consist of a statement by the applicant relating to the work accomplished during the reporting period and shall include statements of the nature of the work performed, identification of persons served by the applicant during the reporting period, identification of any immediate problems encountered during the reporting period, and any recommendations deemed pertinent by the applicant, as well as a statement of what activities are proposed to be accomplished during the next reporting period. In addition to the written progress reports, the applicant, upon request, shall be required to meet with representatives of the Judiciary to discuss the progress of the work required.
- c. The applicant shall, at the completion of the contract period, submit a final written report to the Judiciary. The report shall include documentation of the applicant's overall effort towards meeting the program goals and objectives, to include information on the outcome(s) of quality improvement activities in which the program is engaged. Furthermore, the applicant shall furnish any additional reports or information that the Judiciary may from time to time require or request.
- d. The applicant shall comply with the requirements of the statewide substance abuse treatment monitoring program established under HRS 321-192.5. The Judiciary additionally requires that all programs which provide substance abuse treatment services, whether accredited or not accredited by the Department of Health, Alcohol and Drug Abuse Division (ADAD), participate in the statewide data collection activities under the purview of ADAD

6. Pricing or pricing methodology to be used

Negotiated unit of service or fixed price.

Additionally for the Second Circuit, if a proposal is submitted for fixed price, the applicant shall also submit unit of service for each service activity including the cost for assessments conducted in-custody and in-community.

7. Units of service and unit rate

Estimated number of treatment slots (per month):

Oahu:	50	Juveniles (Outpatient)
	25	Juveniles (Outpatient for Juvenile Drug Court Program)
	2	Juveniles (Residential)
	20	Juveniles (Substance abuse education classes)

Maui:	1	Juveniles (Residential)
	6	Juveniles (Outpatient)
	8	Juveniles (Substance abuse education classes)
Kauai:	3	Juveniles (Residential)
	3	Juveniles (Outpatient)
	3	Juveniles (Substance abuse education classes)

2.10.4 Facilities

- A. Applicants shall provide a description of its facilities and its conduciveness to the treatment being provided.
- B. Applicants proposing to provide Residential Treatment services shall describe and include in the proposals the following:
 1. How security and client accountability will be achieved.
 2. A site map of the facility designating all program locations, the location of each dwelling, and the gender for each dwelling.
 3. A floor plan for each dwelling laying out each bedroom for clients and resident counselor(s), kitchen, dining area, living area, bathrooms and laundry area; the number of client beds per room; the number of resident counselor bed(s) per room; and the maximum capacity for each dwelling.
 4. The number of licensed beds for Residential services by the Office of Health Care Assurance (OCHA), Department of Health, State of Hawaii.

**2.11 SVC SPEC TITLE: Juvenile Client and Family Services
JC151C - In-Community Service**

2.11.1 Introduction

A. & B. - (SEE SECTION 2.0.1)

C. Description of the goals of the service

The goal of the service is to assist juveniles and families to resolve various problems and conflicts to help them learn socially acceptable behaviors and function in the community as law-abiding citizens. Services must incorporate best practices/evidence-based practices and be reflective of the court's balanced and restorative justice philosophy and the guiding principles of the Juvenile Detention Alternative Initiative (JDAI). The goals of balanced and restorative justice are accountability, competency development, and public safety. JDAI principles are complementary in that it can help shape and guide jurisdiction's practice through collaboration and a continuum of services that are culturally competent, relevant and accessible to the youth they serve and reduce the reliance on unnecessary confinement in secured detention. The in-community services include Alternative Education, Outdoor/Prosocial Experience, Anger Management, Psychological Services, Victim Impact Classes, and Ohana Conferencing.

D. Description of the target population to be served

Juveniles between the ages of 12 to 17 years who are referred for law violations and status offenses and families referred by the Family Drug Court.

E. Geographic coverage of service

Service areas include the following:

First Circuit -- Island of Oahu

Fifth Circuit -- Island of Kauai

Separate proposals shall be submitted for the First and Fifth Circuits. Further, separate proposals shall be submitted for each service activity indicated under Section 2.11.3 A. (Service Activities), below.

F. Probable funding amounts, source, and period of availability

Probable funding amounts:

FY 2020

FY 2021

FY 2022

FY 2023

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Funding amounts are not being stated at this time. Applicants should propose funding amounts in their proposals based on their best estimate of the cost of providing the services described in these specifications.

Funding source: State General Funds.

Period of availability: The Judiciary intends to award a multi-term contract. The aggregate term of the contract shall not exceed four (4) years, e.g., July 1, 2019 to June 30, 2023, subject to the appropriation and availability of funds and satisfactory contract performance. All State funds are contingent on appropriation, and all Federal funds are contingent on the awarding of grant applications. Funds are available for only the initial term of the contract which is for 2 years.

2.11.2 General Requirements

A. Specific qualifications or requirements, including but not limited to licensure or accreditation.

1. The applicant shall have licenses and certificates, as applicable, in accordance with federal, state and county regulations, and comply with all applicable Hawaii Administrative Rules.
2. The applicant must have demonstrated competence or qualifications to perform the required services and shall have a minimum one year experience in the provision of services.
3. The applicant must have an accounting system, with acceptable accounting practices and standards.
4. The proposed service must meet all required state licensing or certification standards, provide assurances of fair hearing and grievance procedures for clientele, civil rights compliance, information safeguarding practices, and provide proof of insurance coverage as applicable.
5. The applicant shall submit in a timely manner upon request by the Judiciary, any additional information needed by the Judiciary to make a decision on the applicant's proposal. The Judiciary may request an oral discussion or presentation in support of the proposal. On-site visits may be made.
6. The applicant shall comply with Chapter 103F, HRS Cost Principles for Purchases of Health and Human Services identified in SPO-H-201 (Effective 10/01/98), which can be found on the SPO website (See Section 5, Proposal Application Checklist, for the website address).

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B. Secondary purchaser participation
(Refer to §3-143-608, HAR)

After-the-fact secondary purchases will be allowed.

C. Multiple or alternate proposals
(Refer to §3-143-605, HAR)

☒ Allowed ☐ Not allowed

D. Single or multiple contracts to be awarded
(Refer to §3-143-206, HAR)

☐ Single ☐ Multiple ☒ Single & Multiple

Multiple contracts may be awarded if such awards are deemed to be in the best interests of the Judiciary, and will be based on the highest ranked proposals.

E. Single or multi-term contracts to be awarded
(Refer to §3-149-302, HAR)

☐ Single term (< 2 yrs) ☒ Multi-term (> 2 yrs.)

A multi-term contract will be awarded based on a determination that it is in the best interest of the Judiciary. The initial term of the contract shall be for two (2) years. Funds are available for only the initial term of the contract. The contract may be extended for another two (2) years, subject to appropriation and availability of funds and satisfactory performance of services by applicant. Execution of a contract amendment is required to extend the contract for another term. The aggregate term of the contract shall not exceed four (4) years, e.g., July 1, 2019 to June 30, 2023. If it is determined that it is not in the best interest of the Judiciary to award a multi-term contract, a single-term contract will be awarded.

F. RFP contact persons

The individuals listed below are the points of contact from the date of release of this RFP until the selection of the winning applicant or applicants. Written questions should be submitted to the RFP contact person(s) and received on or before the day and time specified in Section 1.1 (Procurement Timetable) of this RFP.

If you have any technical questions regarding the requested services, please call the following individual:

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Judiciary Contracts & Purchasing Office
Tritia Cruz at (808) 538-5805 fax: 538-5802
Tritia.L.Cruz@courts.hawaii.gov

If you have any programmatic questions regarding the requested services, please call the following individual:

Oahu: Family Court, First Circuit
Ramona Yano at (808) 954-8226 fax: 954-8308
Ramona.H.Yano@courts.hawaii.gov

Adriane Abe (808) 539-4408
Adriane.c.abe@courts.hawaii.gov fax: (808) 539-4402

Anona Gabriel (808) 954-8275 fax: (808) 954-8308
Anona.L.Gabriel@courts.hawaii.gov

Kauai: Family Court, Fifth Circuit
Kari Yamashiro (808) 482-2428 fax: 482-2442
Kari.Yamashiro@courts.hawaii.gov

2.11.3 Scope of Work

The scope of work encompasses the following tasks and responsibilities:

A. Service Activities (Minimum and/or mandatory tasks and responsibilities)

Services are being requested for adjudicated juveniles for law violations and status offenses and families in the Family Drug Court:

1. **Outdoor/Prosocial Experience (Oahu).** An outreach counseling and tutoring program with an outdoor and/or prosocial activity component. The program will provide individual, group, and family counseling sessions, after-school tutorial, crisis intervention, parenting support and/or classes, community service, and possible weekend activities.

Selected provider shall work with the referring Judiciary staff to individualize services based on the Youth Assessment and Screening Instrument (YASI) conducted by the Family Court. Criminogenic risk and needs assessed include the following domains: Legal History, Family, School, Community and Peers, Substance Abuse, Mental Health, Aggression, Attitudes, Skills, and Employment/Freetime. Provider shall demonstrate capacity to provide cognitive behavioral interventions with

Service Specs - JC151C

the goal of increasing social skills and prosocial attitudes, as specifically identified in the YASI assessment.

2. **Alternative Education (Oahu).** An alternative education program for youth experiencing school performance and attendance deficiencies. Services should include strength based and family focused counseling, crisis intervention, outreach services, individual and group related problem-solving activities, group socialization exercises, and recreational activities.

Selected provider shall work with the referring Judiciary staff to individualize services based on the Youth Assessment and Screening Instrument (YASI) conducted by the Family Court. Criminogenic risk and needs assessed include the following domains: Legal History, Family, School, Community and Peers, Substance Abuse, Mental Health, Aggression, Attitudes, Skills, and Employment/Freetime. Provider shall demonstrate capacity to provide cognitive behavioral interventions with the goal of increasing social skills and prosocial attitudes, as specifically identified in the YASI assessment.

Proposal must include demonstrated capacity in providing services to youth diagnosed with Fetal Alcohol Spectrum Disorders and youth with similar needs. Provider must be knowledgeable about FASD and the implications for service delivery and needed supports for afflicted youth.

3. **Anger Management (Oahu).** An anger management/violence prevention program for youth utilizing an evidence-based/best practices model.
4. **Family Intervention Services (Oahu).** Provide family intervention therapy consisting of an average of ten sessions for youth and their families participating in the Juvenile Drug Court Program. Intervention services average about 4.5 hours per week over two to three months. Family therapy will be conducted in the home, neighborhood, and other community locations depending on the family's needs. Work to support the family by participating in court appearances, meetings with systems of care, and other services as needed. This includes working in close collaboration with the courts, probation officers, church communities, medical doctors, and health facilities, residential, mental health and/or substance abuse facilities, and other organizations.

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Proposal must include demonstrated capacity in providing services to youth diagnosed with Fetal Alcohol Spectrum Disorders and youth with similar needs. Provider must be knowledgeable about FASD and the implications for service delivery and needed supports for afflicted youth and families.

5. **Victim Impact Classes (Kauai).** An educational program to teach juvenile offenders how crime affects the victim, victim's family and the community. The classes provides victims with an opportunity to tell their personal stories to offenders about the social, emotional, physical, and financial impact of crime on their lives. Offenders have the opportunity to learn about the short and long-term trauma of victimization and develop an understanding and empathy for victims.
6. **Victim Impact Program (Oahu).** Evidence based/best practices curriculum to increase juvenile offenders' capacity for empathy building. The curriculum shall address how crime affects the victim, victim's family and the community. Juveniles will have the opportunity to learn about the short and long-term trauma of victimization and develop an understanding and empathy for victims.
7. **Family Conferencing (Kauai).** Bring together the community of people who are most affected by a juvenile offender's offense or harmful behavior. The conferences are coordinated by trained facilitators. The victim, offender, and victim's and offender's families or support systems participate. All have the opportunity to speak about how the offender's actions has affected their lives. The group decides how the harm will be repaired by the offender. The conferences may occur before or after sentencing or as alternative to going through the traditional juvenile justice system.

B. Management Requirements (Minimum and/or mandatory requirements)

1. Personnel

- a. The applicant shall possess and document knowledge, capacity, skills and experience in working with the targeted population.
- b. The applicant shall conduct a State and Federal fingerprint- based criminal history record check for any person, including, but not limited to any officer, employee, volunteer or subcontractor, who performs work or services which necessitates close proximity to or unsupervised access to vulnerable clients such as children,

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disabled, and/or the elderly , or other program related vulnerable clients . In addition, the applicant will conduct a search of the State and National Sex Offender Registries, <http://sexoffenders.ehawaii.gov> (State Sex Offender Registry) and the www.nsopr.gov (National Sex Offender Public Registry). The minimum record check will be conducted once every four years for each person, and/or at the outset of the contract period if such checks have never been conducted. Further, the applicant will ensure the continued suitability of any officer, employee, volunteer or subcontractor to work or provide services to vulnerable clients. Results of all criminal history record inquiries conducted shall be placed in the employee's or volunteer's personnel file and shall be available to Judiciary for review. The applicant further shall have a written plan for addressing any findings that result from a criminal history record check that may affect the treatment milieu (e.g. actively under the supervision of any criminal justice agency, convicted sex offenders). Prior to commencing any work or services on the contract, the applicant shall ensure that any officer, employee, volunteer or subcontractor is suitable to be performing work or services in close proximity to or with unsupervised access to children, disabled, and/or elderly clients will be of reputable and responsible character and will not pose a risk to the health, safety, security, or well-being of clients, staff and the general public.

- c. The applicant shall have on the premises at least one person currently certified in First Aid and CPR.
- d. The staff and volunteers, if used by the applicant, shall be under the supervision of the program director or his or her designee and shall, accordingly, be trained in client confidentiality issues and program quality assurance requirements.
- e. The applicant must have sufficient and relevant training and staff development.

2. Administrative

The applicant shall establish and implement policies and procedures which clearly identify the target population for each type of service, the program content, and methods of service delivery.

3. Quality assurance and evaluation specifications

- a. The applicant shall have a quality assurance plan which identifies the mission of the organization, what services will be provided,

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how they are delivered, who is qualified to deliver the services, who is eligible to receive the services, and what standards are used to assess or evaluate the quality and utilization of services.

- b. Program evaluation should reflect the documentation of the achievement of the stated goals, using tools and measures consistent with the professional standards of the disciplines involved in the delivery of services.

4. Output and performance/outcome measurements

- a. Output: The applicant shall record unduplicated clients served. The unduplicated client count shall be recorded in the applicant's quarterly reports, culminating in a final unduplicated client count on the applicant's final report.
- b. Outcome: The applicant shall propose measurement tools by which effectiveness of the services may be determined, as well as utilize any provided by the Judiciary.

5. Reporting requirements for program and fiscal data

- a. The applicant shall submit written quarterly and year-end reports summarizing output and outcome data, performance accomplishments, challenges, and actual expenditures. Quarterly reports are due 30 days after the end of the quarter. Final reports are due 45 days after the end of each fiscal year and/or at the end of the contract period, as applicable.
- b. Reports shall consist of a statement by the applicant relating to the work accomplished during the reporting period and shall include statements of the nature of the work performed, identification of persons served by the applicant during the reporting period, identification of any immediate problems encountered during the reporting period, and any recommendations deemed pertinent by the applicant, as well as a statement of what activities are proposed to be accomplished during the next reporting period. In addition to the written progress reports, the applicant, upon request, shall be required to meet with representatives of the Judiciary to discuss the progress of the work required.
- c. The applicant shall, at the completion of the contract period, submit a final written report to the Judiciary. The report shall include documentation of the applicant's overall effort towards meeting the program goals and objectives. Furthermore, the

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applicant shall furnish any additional reports or information that the Judiciary may from time to time require or request.

6. Pricing or pricing methodology to be used

Negotiated unit of service or fixed price

7. Units of service and unit rate

Outdoor Experience - 4 to 8 youth per month

Alternative Education - 23 to 27 youth per month

Anger Management - 13 youth per month

Family Intervention - 10 to 13 families per year

Victim Impact - 100 youth per year (Oahu)

22 to 27 youth/families per year (Kauai)

Family Conference - 33 to 38 youth per year (Kauai)

**2.12 SVC SPEC TITLE: Juvenile Client and Family Services, Second Circuit
JC2IC - In-Community Services**

2.12.1 Introduction

A. & B. - (SEE SECTION 2.0.1)

C. Description of the goals of the service

In-Community services are requested to provide therapeutic, supportive, and educational programs for minors and young adults. Services should include but not be limited to providing individuals with the tools and skills needed to prevent recidivism, to assess alternatives and make appropriate choices to help them learn socially acceptable behaviors to function in the community as law-abiding citizens. The referrals for minors may include status offenses or law violations. The in-community services for minors and adults provide alternatives to the traditional juvenile and criminal justice systems to assist the offender to make reparations to the victim and the community. Services should be reflective of the court's balanced and restorative justice philosophy which holds the offender accountable for his/her actions. All applicants should provide the clients with insight and understanding of their situation and resulting behaviors.

D. Description of the target population to be served

Juveniles between the ages of 6 to 17 and young adults who have been referred and/or ordered by the Court to participate in treatment.

E. Geographic coverage of service

Service areas include the following:

Second Circuit -- Islands of Maui, Lanai and Molokai

F. Probable funding amounts, source, and period of availability

Probable funding amounts:

<u>FY 2020</u>	<u>FY 2021</u>	<u>FY 2022</u>	<u>FY 2023</u>
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Funding amounts are not being stated at this time. Applicants should propose funding amounts in their proposals based on their best estimate of the cost of providing the services described in these specifications.

Funding source: State general funds.

Period of availability: The Judiciary intends to award a multi-term contract. The aggregate term of the contract shall not exceed four (4) years, e.g., July 1, 2019 to June 30, 2023, subject to the appropriation and availability of funds and satisfactory contract performance.

2.12.2 General Requirements

A. Specific qualifications or requirements, including but not limited to licensure or accreditation

1. The applicant shall have licenses and certificates, as applicable, in accordance with federal, state and county regulations, and comply with all applicable Hawaii Administrative Rules.
2. The applicant must have demonstrated competence or qualifications to perform the required services.
3. The applicant must have an accounting system, with acceptable accounting practices and standards.
4. The proposed service must meet all required state licensing or certification standards, provide assurances of fair hearing and grievance procedures for clientele, civil rights compliance, information safeguarding practices, and provide proof of insurance coverages as applicable.
5. The applicant shall submit in a timely manner upon request by the Judiciary, any additional information needed by the Judiciary to make a decision on the applicant's proposal. The Judiciary may request an oral discussion or presentation in support of the proposal. On-site visits may be made.
6. The applicant shall comply with the Chapter 103F, HRS Cost Principles for Purchases of Health and Human Services identified in SPO-H-201 (Effective 10/01/98), which can be found on the SPO website (See Section 5, POS Application Checklist, for the website address).

B. Secondary purchaser participation (Refer to §3-143-608, HAR)

After-the-fact secondary purchases will be allowed.

C. Multiple or alternate proposals (Refer to §3-143-605, HAR)

☐ Allowed ☒ Unallowed

D. Single or multiple contracts to be awarded

(Refer to §3-143-206, HAR)

☐ Single ☐ Multiple ☒ Single & Multiple

Multiple contracts may be awarded if such awards are deemed to be in the best interest of the Judiciary, and will be based on the highest ranked proposals.

E. Single or multi-term contracts to be awarded

(Refer to §3-149-302, HAR)

☐ Single term (< 2 yrs) ☒ Multi-term (> 2 yrs.)

A multi-term contract will be awarded based on a determination that it is in the best interest of the Judiciary. The initial term of the contract shall be for two (2) years. Funds are available for on the initial term of the contract. The contract may be extended for another two (2) years, subject to appropriation and availability of funds and satisfactory performance of services by provider. Execution of a contract amendment is required to extend the contract for another term. The aggregated term of the contract shall not exceed four (4) years, e.g., July 1, 2019 to June 30, 2023. If it is determined that it is not in the best interest of the Judiciary to award a multi-term contract, a single term contract will be awarded.

F. RFP contact persons

The individuals listed below are the points of contact from the date of release of this RFP until the selection of the winning provider or providers. Written questions should be submitted to the RFP contact person(s) and received on or before the day and time specified in Section 1.1 (Procurement Timetable) of this RFP.

If you have any technical questions regarding the requested services, please call the following individual:

Tritia Cruz, Contracts and Purchasing Office
Phone: (808) 538-5805 Fax: (808) 538-5802
Email: Tritia.L.Cruz@courts.hawaii.gov

If you have any programmatic questions regarding the requested services, please call the following individual:

Alysha Stephenson, Program Specialist, Second Circuit
Phone: (808) 244-2772 Fax: 244-2870
Email: Alysha.R.Stephenson@courts.hawaii.gov

2.12.3 Scope of Work

The scope of work encompasses the following tasks and responsibilities:

A. Service Activities (Minimum and/or mandatory tasks and responsibilities)

Applicants shall provide therapeutic, supportive, and educational programs for minors and adults and alternatives to the traditional juvenile and criminal justice systems to assist offenders to make reparations to the victim and the community. Applicants may propose to provide all or any part of the following service activities:

1. **Anger Management.** Services for adjudicated and non-adjudicated minors who display aggressive or abusive behaviors, to include psycho-social assessment and evaluation; individual and group treatment dealing with anger and stress management; cognitive restructuring/behavior modification interventions that enhance both communication and problem solving skills.
2. **Outdoor Experience.** Services for adjudicated and non-adjudicated minors, to include interventions which provide physical and psychological challenges to improve/enhance a minor's effectiveness within group settings, and increase both community and environmental awareness.
3. **Diversion Services.** Services for adjudicated and non-adjudicated minors to be used as a dispositional alternative program designed to divert individuals from the justice system. Services to include supervision of minors as an alternative to confinement, and pro-social activities that provide for the minors interest and expose and create links for the minors within the community.
4. **Victim Impact Classes.** To provide an educational program to teach juvenile and adult offenders, in separate classes, how crime affects the victim, victim's family and the community. The classes provide victims with an opportunity to tell their personal stories to offenders about the social, emotional, physical, and financial impact of crime on their lives. Offenders have the opportunity to learn about the short and long-term trauma of victimization and develop an understanding and empathy for victims.
5. **Victim-Offender Reconciliation.** To provide opportunities to bring

together the victim and offender in a safe and structured face-to-face meeting, in the presence of trained facilitators. The crime victims have an opportunity to obtain answers to their questions about the crime and the person who committed it. The offenders have an opportunity to take responsibility for what they have done and learn the impact of their actions on others.

B. Management Requirements (Minimum and/or mandatory requirements)

1. Personnel

- a. The applicant shall possess and document knowledge, capacity, skills and experience in working with the targeted population.
- b. The applicant shall conduct a State and Federal fingerprint- based criminal history record check for any person, including, but not limited to any officer, employee, volunteer or subcontractor, who performs work or services which necessitates close proximity to or unsupervised access to vulnerable clients such as children, disabled, and/or the elderly , or other program related vulnerable clients . In addition, the applicant will conduct a search of the State and National Sex Offender Registries, <http://sexoffenders.ehawaii.gov> (State Sex Offender Registry) and the www.nsopr.gov (National Sex Offender Public Registry). The minimum record check will be conducted once every four years for each person, and/or at the outset of the contract period if such checks have never been conducted. Further, the applicant will ensure the continued suitability of any officer, employee, volunteer or subcontractor to work or provide services to vulnerable clients. Results of all criminal history record inquiries conducted shall be placed in the employee's or volunteer's personnel file and shall be available to Judiciary for review. The applicant further shall have a written plan for addressing any findings that result from a criminal history record check that may affect the treatment milieu (e.g. actively under the supervision of any criminal justice agency, convicted sex offenders). Prior to commencing any work or services on the contract, the applicant shall ensure that any officer, employee, volunteer or subcontractor is suitable to be performing work or services in close proximity to or with unsupervised access to children, disabled, and/or elderly clients will be of reputable and responsible character and will not pose a risk to the health, safety, security, or well-being of clients, staff and the general public.
- c. The applicant shall have on the premises at least one person currently certified in First Aid and CPR.

- d. The staff and volunteers, if used by the applicant, shall be under the supervision of the program director or his or her designee and shall, accordingly, be trained in client confidentiality issues and program quality assurance requirements.
- e. The applicant shall maintain appropriate supervision over staff and program activities, work collaboratively with other agencies, and provide on-going training for staff.
- f. The applicant must have sufficient and relevant training and staff development.
- g. The Applicant shall maintain documentation for each employee of an initial and annual tuberculosis (TB) skin test or chest X-ray.

2. Program

Applicants shall incorporate best practices/evidence-based practices in services for adjudicated and non-adjudicated minors. Best practices/evidence-based practices are defined as a body of contemporaneous empirical research findings that produce the most efficacious outcomes for persons involved services, has literature to support the practices, is supported by national consensus, has a system for implementing and maintaining program integrity, and conformance to ethical/professional standards.

3. Administrative

The applicant shall establish and implement policies and procedures which clearly identify the target population for each type of service, the program content, and methods of service delivery.

4. Quality assurance and evaluation specifications

- a. The applicant shall have a quality assurance plan which identifies the mission of the organization, what services will be provided, how they are delivered, who is qualified to deliver the services, who is eligible to receive the services, and what standards are used to assess or evaluate the quality and utilization of services.
- b. Program evaluation should reflect the documentation of the achievement of the stated goals, using tools and measures consistent with the professional standards of the disciplines involved in the delivery of services.

- c. Applicants must be willing to undergo a program assessment and/or audit to assess applicant's implementation of effective practices. Based on the assessment/audit report, the vendor will develop in concert with the contracting agency, an action plan to address areas which need improvement. There should be at least one quality improvement activity completed annually.
- d. Applicants shall provide all program monitoring, assessments and/or evaluation reports completed within the last two years.

5. Output and performance/outcome measurements

- a. Output: The applicant shall record unduplicated clients served. The unduplicated client count shall be recorded in the applicant's quarterly reports, culminating in a final unduplicated client count on the applicant's final report.
- b. Outcome: The applicant shall indicate measurement tool(s) by which effectiveness of the services may be determined, as well as utilize any provided by the Judiciary.

6. Reporting requirements for program and fiscal data

- a. The provider shall submit written quarterly and year-end reports summarizing output and outcome data, performance accomplishments, challenges, and actual expenditures. Quarterly reports are due 30 days after the end of the quarter. Final reports are due 45 days after the end of each fiscal year and/or at the end of the contract period, as applicable.
- b. Reports shall consist of a statement by the provider relating to the work accomplished during the reporting period and shall include statements of the nature of the work performed, identification of persons served by the provider during the reporting period, identification of any immediate problems encountered during the reporting period, and any recommendations deemed pertinent by the provider, as well as a statement of what activities are proposed to be accomplished during the next reporting period. In addition to the written progress reports, the provider, upon request, shall be required to meet with representatives of the Judiciary to discuss the progress of the work required.
- c. The provider shall, at the completion of the contract period, submit a final written report to the Judiciary. The report shall include documentation of the provider's overall effort towards meeting the program goals and objectives. Furthermore, the provider shall furnish any additional reports or information that the Judiciary may from time to time require or request.

7. Pricing or pricing methodology to be used

Negotiated unit of service.

8. Units of service and unit rate

Estimated number of placement slots: 25-75, Second Circuit.

Applicants to include in their proposed funding amounts per unit, per person, and a per group rate.

**2.13 SVC SPEC TITLE: Juvenile Client and Family Services
JC35TC - In-Community Services (Teen Court)**

2.13.1 Introduction

A. & B. - (SEE SECTION 2.0.1)

C. Description of the goals of the service

To provide an alternative diversion program for Family Court referrals for first time juvenile offenders who meet the referral criteria. Referrals may be from the County Police, the Office of the Prosecuting Attorney, District Traffic Court or the Department of Education. Teen (peer) jury system to apply balanced and restorative justice values of accountability, competency development and public safety to help participants increase law abiding behaviors and reduce the risk of recidivism. The court may be presided over by an attorney or judge.

D. Description of the target population to be served

Juveniles, ages 10 to 17

E. Geographic coverage of service

Service areas include the following:

Third Circuit -- Island of Hawaii (East and West)

Fifth Circuit – Island of Kauai

Separate proposals shall be submitted for the Third and Fifth Circuits.

F. Probable funding amounts, source, and period of availability

Funding amounts are not being stated at this time. Applicants should propose funding amounts in their proposal based on their best estimate of the cost of providing the service described in these specifications.

Funding source: State General Funds.

Period of availability: The Judiciary intends to award a multi-term contract. The aggregate term of the contract shall not exceed four (4) years, e.g, July 1, 2019 to June 30, 2023, subject to the appropriation and availability of funds and satisfactory contract performance. Funds are available for only the initial term of the contract which is for 2 years.

2.13.2 General Requirements

A. Specific qualifications or requirements, including but not limited to licensure or accreditation

1. The applicant shall have licenses and certificates, as applicable, in accordance with federal, state and county regulations, and comply with all applicable Hawaii Administrative Rules.
2. The applicant must have demonstrated competence or qualifications to perform the required services.
3. The applicant must have an accounting system, with acceptable accounting practices and standards.
4. The proposed service must meet all required state licensing or certification standards, provide assurances of fair hearing and grievance procedures for clientele, civil rights compliance, information safeguarding practices, and provide proof of insurance coverages as applicable.
5. The applicant shall submit in a timely manner upon request by the Judiciary, any additional information needed by the Judiciary to make a decision on the applicant's proposal. The Judiciary may request an oral discussion or presentation in support of the proposal. On-site visits may be made.
6. The applicant shall comply with Chapter 103F, HRS Cost Principles for Purchases of Health and Human Services identified in SPO-H-201 (Effective 10/01/98), which can be found on the SPO website (See Section 5, Proposal Application Checklist, for the website address).

B. Secondary purchaser participation

(Refer to §3-143-608, HAR)

After-the-fact secondary purchases will be allowed.

C. Multiple or alternate proposals

(Refer to §3-143-605, HAR)

☐ Allowed ☒ Unallowed

D. Single or multiple contracts to be awarded

(Refer to §3-143-206, HAR)

☐ Single ☐ Multiple ☒ Single & Multiple

Multiple contracts may be awarded if such awards are deemed to be in the best

interests of the Judiciary, and will be based on the highest ranked proposals.

E. Single or multi-term contracts to be awarded

(Refer to §3-149-302, HAR)

☐ Single term (<2 yr) ☒ Multi-term (>2 yr)

A multi-term contract will be awarded based on a determination that it is in the best interest of the Judiciary. The initial term of the contract shall be for two (2) years. Funds are available for only the initial term of the contract. The contract may be extended for another two (2) years, subject to appropriation and availability of funds and satisfactory performance of services by provider. Execution of the contract amendment is required to extend the contract for another term. The aggregate term of the contract shall not exceed four (4) years, e.g., July 1, 2019 to June 30, 2023. If it is determined that it is not in the best interest of the Judiciary to award a multi-term contract, a single term will be awarded.

F. RFP contact persons

The individuals listed below are the points of contact from the date of release of this RFP until the selection of the winning provider or providers. Written questions should be submitted to the RFP contact person(s) and received on or before the day and time specified in Section 1.1 (Procurement Timetable) of this RFP.

If you have any technical questions regarding the Request for Proposal, please call the following individual:

Judiciary Contracts & Purchasing Office
Tritia Cruz at (808) 538-5805 fax: 538-5802
Email: Tritia.L.Cruz@courts.hawaii.gov

If you have programmatic questions regarding the requested services, please call the following individual:

Hawaii : Program Services, Third Circuit
Aolani Mills, Program Specialist
(808) 322-8726 fax: (808) 322-8701
Aolani.M.Mills@courts.hawaii.gov

Family Court, Third Circuit
Randi Cooper, Juvenile Client Services Branch Administrator
(808) 961-7685 fax: (808) 961-7671
Randi.L.Cooper@courts.hawaii.gov

Kauai: Juvenile Client and Family Services, Fifth Circuit
Kari Yamashiro
Administrator, Juvenile Client Services Branch
(808) 482-2428 fax: 482-2422
Kari.L.Yamashiro@courts.hawaii.gov

2.13.3 Scope of Work

The scope of work encompasses the following tasks and responsibilities:

A. Service Activities (Minimum and/or mandatory tasks and responsibilities)

Services are being requested for a Teen Court diversion program for first time Petty Misdemeanor, Misdemeanor, certain Traffic Offenses, and Status offenders.

Services will include but not be limited to Teen Jury participation, community service, monetary restitution, and assessment for substance abuse, anger management and high risk behaviors for referral to appropriate treatment.

Services should be reflective of the court's balanced and restorative justice philosophy. The goals of balanced and restorative justice are accountability, competency development and public safety. The needs and interests of the offender, victim and community should be considered as part of the program.

B. Management Requirements (Minimum and/or mandatory requirements)

1. Personnel

- a. The applicant shall possess and document knowledge, capacity, skills and experience in working with the targeted population.
- b. The applicant shall conduct a State and Federal fingerprint- based criminal history record check for any person, including, but not limited to any officer, employee, volunteer or subcontractor, who performs work or services which necessitates close proximity to or unsupervised access to vulnerable clients such as children, disabled, and/or the elderly , or other program related vulnerable clients . In addition, the applicant will conduct a search of the State and National Sex Offender Registries, <http://sexoffenders.ehawaii.gov> (State Sex Offender Registry) and the www.nsopr.gov (National Sex Offender Public Registry). The minimum record check will be conducted once every four years for each person, and/or at the outset of the contract period if such checks have never been conducted. Further, the applicant will ensure the continued suitability of any officer, employee, volunteer or subcontractor to work or provide services to vulnerable clients.

Results of all criminal history record inquiries conducted shall be placed in the employee's or volunteer's personnel file and shall be available to Judiciary for review. The applicant further shall have a written plan for addressing any findings that result from a criminal history record check that may affect the treatment milieu (e.g. actively under the supervision of any criminal justice agency, convicted sex offenders). Prior to commencing any work or services on the contract, the applicant shall ensure that any officer, employee, volunteer or subcontractor is suitable to be performing work or services in close proximity to or with unsupervised access to children, disabled, and/or elderly clients will be of reputable and responsible character and will not pose a risk to the health, safety, security, or well-being of clients, staff and the general public.

- c. The applicant shall have on the premises at least one person currently certified in First Aid and CPR.
- d. The staff and volunteers, if used by the applicant, shall be under the supervision of the program director or his or her designee and shall, accordingly, be trained in client confidentiality issues and program quality assurance requirements.
- e. The applicant must have sufficient and relevant training and staff development.

2. Administrative

The applicant shall establish and implement policies and procedures which clearly identify the target population for each type of service, the program content, and methods of service delivery.

3. Quality assurance and evaluation specifications

- a. The applicant shall have a quality assurance plan which identifies the mission of the organization, what services will be provided, how they are delivered, who is qualified to deliver the services, who is eligible to receive the services, and what standards are used to assess or evaluate the quality and utilization of services.
- b. Program evaluation should reflect the documentation of the achievement of the stated goals, using tools and measurements consistent with the professional standards of the disciplines involved in the delivery of services.

4. Output and performance/outcome measurements

- a. Output: The applicant shall record unduplicated clients served.

The unduplicated client count shall be recorded in the applicant's quarterly reports, culminating in a final unduplicated client count on applicant's final report.

- b. Outcome: The applicant shall indicate measurement tools by which effectiveness of the services may be determined, as well as utilize any provided by the Judiciary.

5. Reporting requirements for program and fiscal data

- a. The provider shall submit written quarterly and year-end reports summarizing output and outcome data, performance accomplishments, challenges, and actual expenditures. Quarterly reports are due 30 days after the end of the quarter. Final reports are due 45 days after the end of each fiscal year and/or at the end of the contracted period, as applicable.
- b. Reports shall consist of a statement by the provider relating to the work accomplished during the reporting period and shall include statements of the nature of the work performed, identification of persons served by the provider during the reporting period, identification of any immediate problems encountered during the reporting period, and any recommendations deemed pertinent by the provider, as well as a statement of what activities are proposed to be accomplished during the next reporting period. In addition to the written progress reports, the provider, upon request, shall be required to meet with representatives of the Judiciary to discuss the progress of the work required.
- c. The provider shall, at the completion of the contract period, submit a final written report to the Judiciary. The report shall include documentation of the provider's overall efforts towards meeting the program goals and objectives. Furthermore, the provider shall furnish any additional reports or information that the Judiciary may from time to time require or request.

6. Pricing or pricing methodology to be used

Fixed price.

7. Units of service and unit rate

Estimated number of juveniles is no less than **100** per year per island, but to include any and all court referrals in excess of this number.

2.14 SVC SPEC TITLE: Girls Court Program
GC1IC - In-Community Services

2.14.1 Introduction

A. & B. - (SEE SECTION 2.0.1)

C. Description of the service and goals

Female adolescents in the juvenile justice system exhibit high rates of mental health problems. Co-occurring disorders, histories of trauma and abuse, depression, self-mutilation, suicide attempts, substance abuse, and family conflicts are particular problems. Professional mental health services are needed for the female adolescents and their families participating in the Girls Court Program. Better outcomes are hoped for by effectively meeting the mental health treatment needs of girls in the juvenile justice system through a gender-responsive and strength and family-based treatment approach. Supportive services are needed to assist girls in learning better coping strategies, improving their behavioral and life circumstances, and reducing the likelihood of their re-offending.

Girls Court also serves girls, and youth who identify as girls, who are victims of commercial sexual exploitation of children (CSEC). These cases often present with complex needs, both short and long term. CSEC victims are often reluctant to identify themselves as such, and the dynamics of CSEC victimization may include mental health problems and trauma related resistance and a lack of cooperation with authorities. Supportive mental health services are needed in a multidisciplinary team approach.

D. Description of the target population to be served

Female adolescents between the ages of 12-17 being serviced by the First Circuit's Girls Court Program.

E. Geographic coverage of service

Service areas include the following:
First Circuit- Island of Oahu

F. Probable funding amounts, source, and period of availability

Probable funding amounts:

<u>FY 2020</u>	<u>FY 2021</u>	<u>FY 2022</u>	<u>FY 2023</u>
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Funding amounts are not being stated at this time. Applicants should propose funding amounts in their proposals based on their best estimate of the cost of providing the services described in this specification.

Funding source: State general funds

Period of availability: The Judiciary intends to award a multi-term contract. The aggregate term of the contract will not exceed (4) years, e.g., July 1, 2019 to June 30, 2023 subject to the appropriation and availability of funds and satisfactory contract performance. Funds are available for only the initial term of the contract which is for two (2) years. All State funds are contingent on appropriations, and all Federal funds are contingent on the awarding of grant applications.

2.14.2 General Requirements

A. Specific qualifications or requirements, including but not limited to licensure or accreditation.

1. The applicant shall have licenses and certificates, as applicable in accordance with federal, state, and county regulations, and comply with all applicable Hawaii Administrative Rules.
2. The applicant must have demonstrated competence or qualifications to perform the required services.
3. The applicant must have an accounting system, with acceptable accounting practices and standards.
4. The proposed service must meet all required state licensing or certification standards, provide assurances of fair hearing and grievance procedures for clientele, civil rights compliance, information safeguarding practices, and provide proof of insurance coverage as applicable.
5. The applicant shall submit in a timely manner upon request by the Judiciary, any additional information needed by the Judiciary to make a decision on the applicant's proposal. The Judiciary may request an oral discussion or presentation in support of the proposal. On-site visits may be made.
6. The applicant shall comply with the Chapter 103F, HRS Cost Principles for Purchases of Health and Human Services identified in SPO-H-201 (Effective 10/01/98), which can be found on the SPO website (See Section 5, POS Application Checklist, for the website address).

B. Secondary purchaser participation (Refer to Section 3-1143-608,HAR)

After-the-fact secondary purchases will be allowed.

C. Multiple or alternate proposals

(Refer to Section 3-143-605,HAR)

☐ Allowed

☒ Unallowed

D. Single or multiple contracts to be awarded

(Refer to Section 3-143-206,HAR)

☐ Single

☐ Multiple

☒ Single and Multiple

Multiple contracts may be awarded if such awards are deemed to be in the best interest of the Judiciary and will be based on the highest ranked proposals.

E. Single or multi-term contracts to be awarded

(Refer to Section=149-302,HAR)

☐ Single term (< 2 yrs)

☒ Multi-term (>2 yrs)

A multi-term contract will be awarded based on a determination that it is in the best interest of the Judiciary. The initial term of the contract shall be for two (2) years. Funds are available for only the initial term of the contract. The contract may be extended for another two (2) years, subject to appropriation and availability of funds and satisfactory performance of services by applicant. Execution of a contract amendment is required to extend the contract for another term. The aggregate term of the contract shall not exceed four (4) years, e.g., July 1, 2019 to June 30, 2023. If it is determined that it is not in the best interest of the Judiciary to award a multi-term contract, a single-term contract will be awarded.

F. RFP contact persons

The individuals listed below are the points of contract from the date of release of this RFP until the selection of the winning provider. Written questions should be submitted to the RFP contact person(s) and received on or before the day and time specified in Section 1.1 (Procurement Timetable) of this RFP.

If you have any technical questions regarding the requested services, please call the following individual:

Judiciary Purchasing Office

Tritia Cruz at (808) 538-5805 Fax: (808) 538-5802

Email: Tritia.L.Cruz@courts.hawaii.gov

If you have any programmatic questions regarding the requested services, please call the following individual:

Oahu:

Program Specialist, First Circuit

Adriane Abe at (808) 539-4408 Fax:(808) 539-4402

Email: Adriane.C.Abe@courts.hawaii.gov

2.14.3 Scope of Work

The scope of work encompasses the following tasks and responsibilities:

A. Service Activities (Minimum and/or mandatory tasks and responsibilities)

1. Individual and Family Therapy

- a. The provider shall provide individual therapy on a weekly basis to girls and families identified by the Girls Court Program in need of services. The services are to help the girls address abuse or trauma issues, reduce self injuring behaviors, identify behaviors that interfere with successful management of emotions, and develop better coping skills to deal with stresses and improve their functioning. These sessions may include the families or guardians of the Girls Court participants.
- b. Therapy sessions will be flexible with regard time and place. For the purpose of outreach, sessions may be held at the Girls Court office, or in the community, including the Girls Court participant's school, home, or out-of-home placement site.
- c. Written treatment plans and goals will be developed for each Girls Court participant accessing therapy services, utilizing a strength-based model.
- d. Provider shall provide consultation to the Girls Court staff during weekly case reviews and on an as needed basis, regarding issues of concern that may affect the overall well-being of the Girls Court participants.
- e. Provider shall be available to Girls Court participants during crisis situations as well as provide consultation to staff as needed during emergencies, including beyond regular work hours.
- f. Proposal must include demonstrated capacity in providing services to youth diagnosed with Fetal Alcohol Spectrum Disorders and youth with similar needs. Provider must be knowledgeable about FASD and the implications for service delivery and needed supports for afflicted youth and families.
- g. Proposal must describe provider's knowledge, skills, and experience in providing therapeutic intervention for youth identified as victims of Commercial Sexual Exploitation of Children (CSEC).

2. Parent Group Sessions

- a. Provider shall facilitate Family Group Sessions involving all families in a cohort.
- b. The purpose of the sessions is to engage the families in the Girls Court Program, as well as in the healthy development of the Girls Court participants.

3. Girls Group Sessions

- a. Selected Girls Court participants attend bimonthly group sessions. Provider shall provide group facilitation.
- b. The purpose of the group sessions is to provide education, foster self-awareness and accountability, as well as to encourage the positive development of the Girls Court participants.
- c. Provider shall provide oversight and consultation to the Girls Court staff with respect to issues and concerns of group facilitation, in-group behavior management and follow-up to high risk disclosures.

4. Girls Court Activities

- a. Provider shall provide input into the planning of, and attend and participate in the Girls Court activities. These activities are designed to address the continuum of special needs of female adolescents and include physical and emotional health, sexuality, substance abuse, education, and employment.
- b. The schedule of activities is generally once per month includes quarterly community service events with girls and parents/guardians. During the Department of Education spring break, summer and fall inter-session, academic and/or vocational activities are additionally scheduled.

5. Consultation

- a. Provider shall participate as part of the Girls Court treatment team in meetings that may be scheduled by the Department of Education, Department of Health, and/or any of the respective contracted service providers.

6. Documentation

- a. After each individual and/or family therapy session, provider shall submit to the Girls Court Coordinator case notes that outline

concerns and the participant's progress towards her goals. Each session is to be documented in the participant's file.

- b. If a court ordered therapy session fails to occur, provider will notify the Girls Court staff of the missed session and the reason.
- c. Provider shall maintain frequent contact with the Girls Court staff both by phone and in writing to inform them of the ongoing status of the cases.

B. Management Requirements (Minimum and/or mandatory requirements)

1. Personnel

- a. The applicant must have good understanding of gender-responsive principles and apply it to service delivery.
- b. The applicant shall possess and document knowledge, capacity, skills and experience in working with the targeted population.
- c. The applicant shall conduct a State and Federal fingerprint- based criminal history record check for any person, including, but not limited to any officer, employee, volunteer or subcontractor, who performs work or services which necessitates close proximity to or unsupervised access to vulnerable clients such as children, disabled, and/or the elderly , or other program related vulnerable clients . In addition, the applicant will conduct a search of the State and National Sex Offender Registries, <http://sexoffenders.ehawaii.gov> (State Sex Offender Registry) and the www.nsopr.gov (National Sex Offender Public Registry). The minimum record check will be conducted once every four years for each person, and/or at the outset of the contract period if such checks have never been conducted. Further, the applicant will ensure the continued suitability of any officer, employee, volunteer or subcontractor to work or provide services to vulnerable clients. Results of all criminal history record inquiries conducted shall be placed in the employee's or volunteer's personnel file and shall be available to Judiciary for review. The applicant further shall have a written plan for addressing any findings that result from a criminal history record check that may affect the treatment milieu (e.g. actively under the supervision of any criminal justice agency, convicted sex offenders). Prior to commencing any work or services on the contract, the applicant shall ensure that any officer, employee, volunteer or subcontractor is suitable to be performing work or services in close proximity to or with unsupervised access to children, disabled, and/or elderly clients will be of reputable and responsible character and will not pose a risk to the health, safety,

security, or well-being of clients, staff and the general public.

2. Administrative

The applicant shall establish and implement policies and procedures which clearly identify the target population for each type of service, the program content and methods of service delivery.

3. Quality assurance and evaluation specifications

- a. The applicant shall have a quality assurance plan which identifies the mission of the organization, what services will be provided, how they are delivered, who is qualified to deliver the services, who is eligible to receive the services, and what standards are used to assess or evaluate the quality and utilization of services.
- b. Program evaluation should reflect the documentation of the achievement of the stated goals, using tools and measures consistent with the professional standards of the disciplines involved in the delivery of services.

4. Output and performance/outcome measurements

- a. Output: The applicant shall record unduplicated clients served. The unduplicated client count shall be recorded in the applicant's quarterly reports, culminating in a final unduplicated client count on the applicant's final report.
- b. Outcome: The applicant shall propose measurement tools by which effectiveness of the services may be determined, as well as utilize any provided by the Judiciary.

5. Reporting requirements for program and fiscal data

- a. The applicant shall submit written quarterly and year-end reports summarizing output and outcome data, performance accomplishments, challenges, and actual expenditures. Quarterly reports are due 30 days after the end of the quarter. Final reports are due 45 days after the end of each fiscal year and/or at the end of the contract period, as applicable.
- b. Reports shall consist of a statement by the applicant relating to the work accomplished during the reporting period and shall include statements of the nature of the work performed, identification of persons served by the applicant during the reporting period, identification of any immediate problems encountered during the reporting period, and any recommendations deemed pertinent by the

applicant, as well as a statement of what activities are proposed to be accomplished during the next reporting period. In addition to the written progress reports, the applicant, upon request shall be required to meet with representatives of the Judiciary to discuss the progress of the work required.

- c. The applicant shall, at the completion of the contract period, submit a final written report to the Judiciary. The report will include documentation of the applicant's overall effort toward meeting the program goals and objectives. Furthermore, the applicant shall furnish any additional reports or information that the Judiciary may from time to time require or request.

6. Pricing or pricing methodology to be used

Negotiated or Fixed price.

7. Units of service and unit rate

<u>Service</u>	<u>Unit</u>	<u>Frequency</u>	
Court Session	2 hrs/session	1-2 session/month	
Parent Group	2 hrs/group	1 session/month	
Girls Group	2 hrs/group	2 sessions/month	
Individual Therapy	1 hr/session	2 sessions/month	12 girls
Family Therapy Sessions	1 hr/session	1 session/month	12 families
Treatment Team Meetings	2 hrs/mtg	1-2 session/month	12 girls/mo.
Staff Meetings	2 hrs/mtg	1 mtg/week	
Pre-court Conference	2 hrs/conf	1-2 mtg/month	
Activities	6 hrs/activity	1 activity/month	
After hours contact (evenings & weekends)	8 hours/week		

**2.15 SVC SPEC TITLE: Girls Court Program, Second Circuit
GC2 – In-Community Services**

2.15 Introduction

A. & B. (SEE SECTION 2.0.1)

C. Description of the goals of the service

Female juvenile offenders in the juvenile justice system exhibit high rates of mental health problems. Co-occurring disorders, histories of trauma and abuse, depression, self-mutilation, suicide attempts, substance abuse, and family conflicts are particular problems. Professional mental health services are needed for the female juvenile offenders and their families participating in the Girls Court Program. The goal is to effectively meet the mental health treatment needs of the girls in the juvenile justice system through a gender-responsive and strength and family-based treatment approach, to achieve more successful outcomes in helping them learn better coping strategies, improving their behavioral and life circumstances and reducing the likelihood of their re-offending.

D. Description of the target population to be served

Female juvenile offenders between the ages of 13-17 being serviced by the Second Circuit's Girls Court Program.

E. Geographic coverage of service

Second Circuit -- Islands of Maui

F. Probable funding amounts, source, and period of availability

Funding source: State general funds, public grants, special funds
Other potential funding sources: Federal funds, private grants

Probable funding amounts:

<u>FY 2020</u>	<u>FY 2021</u>	<u>FY 2022</u>	<u>FY 2023</u>
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Period of availability: The Judiciary intends to award a multi-term contract. The aggregate term of the contract shall not exceed four (4) years, e.g., July 1, 2019 to June 30, 2023, subject to the appropriation and availability of funds and satisfactory contract performance. All State general funds are contingent on appropriation. Funds are available for only the initial term of the contract from July 1, 2019 through June 30, 2021.

NOTE: Funding amounts are not being stated at this time. Applicants should propose funding amounts in their proposals based on their best estimate of the cost of providing the services described in these specifications.

2.15 General Requirements

A. Specific qualifications or requirements, including but not limited to licensure or accreditation

1. The applicant shall have licenses and certificates, as applicable, in accordance with federal, state and county regulations, and comply with all applicable Hawaii Administrative Rules.
2. The applicant must have demonstrated competence or qualifications to perform the required services.
3. Preference for female therapist to work with female juvenile offenders.
4. The applicant must have an accounting system, with acceptable accounting practices and standards.
5. The proposed service must meet all required state licensing or certification standards, provide assurances of fair hearing and grievance procedures for clientele, civil rights compliance, information safeguarding practices, and provide proof of insurance coverage as applicable.
6. The applicant shall submit in a timely manner upon request by the Judiciary, any additional information needed by the Judiciary to make a decision on the applicant's proposal. The Judiciary may request an oral discussion or presentation in support of the proposal. On-site visits may be made.
7. The applicant shall comply with the Chapter 103F, HRS Cost Principles for Purchases of Health and Human Services identified in SPO-H-201 (Effective 10/01/98), which can be found on the SPO website (See Section Five, Proposal Application Checklist, for the website address).

B. Secondary purchaser participation

(Refer to §3-143-608, HAR)

After-the-fact secondary purchases will be allowed.

**C. Multiple or alternate proposals
(Refer to §3-143-605, HAR)**

☐ Allowed ☒ Unallowed

**D. Single or multiple contracts to be awarded
(Refer to §3-143-206, HAR)**

☐ Single ☐ Multiple ☒ Single & Multiple

Multiple contracts may be awarded if such awards are deemed to be in the best interest of the Judiciary, and will be based on the highest ranked proposals.

**E. Single or multi-term contracts to be awarded
(Refer to §3-149-302, HAR)**

☐ Single term (< 2 yrs) ☒ Multi-term (> 2 yrs.)

A multi-term contract will be awarded based on a determination that it is in the best interest of the Judiciary. The initial term of the contract shall be for two (2) years. Funds are available for only the initial term of the contract. The contract may be extended for another two (2) years, subject to appropriation and availability of funds and satisfactory performance of services by provider. Execution of a contract amendment is required to extend the contract for another term. The aggregate term of the contract shall not exceed four (4) years, e.g., July 1, 2019 - June 30, 2023. If it is determined that it is not in the best interest of the Judiciary to award a multi-term contract, a single-term contract will be awarded.

F. RFP contact persons

The individuals listed below are the points of contact from the date of release of this RFP until the selection of the winning provider or providers. Written questions should be submitted to the RFP contact person(s) and received on or before the day and time specified in Section 1.1 (Procurement Timetable) of this RFP.

If you have any technical questions regarding the RFP process, please call the following individual:

Tritia Cruz, Contracts and Purchasing Office
Phone: (808) 538-5805 Fax: (808) 538-5802
Email: Tritia.L.Cruz@courts.hawaii.gov

If you have any programmatic questions regarding the requested services, please call the following individual:

Kim Cuadro SSB Administrator, Second Circuit
Phone: (808) 244-2729 Fax: (808) 244-2870
Email: Kim.S.Cuadro@courts.hawaii.gov

2.15x3 Scope of Work

The scope of work encompasses the following tasks and responsibilities:

A. Service Activities (Minimum and/or mandatory tasks and responsibilities)

1. Individual and Family Therapy
 - a. The provider shall provide individual therapy on a weekly basis to female juvenile offenders identified by the Girls Court Program in need of services. The Services are to help the girls address abuse or trauma issues, reduce self-injuring behaviors, identify behaviors that interfere with successful management of emotions, and develop better coping skills to deal with stresses and improve their functioning. These sessions may include the families or guardians of the Girls Court participants.
 - b. Therapy sessions will be flexible with regard to times and place. For the purpose of outreach, sessions may be held at the Girls Court office, or in the community, including the Girls Court participant's school, home or out-of home placement site.
 - c. Written treatment plans and goals will be developed for each Girls Court participant accessing therapy services, utilizing a strength-based model.
 - d. The provider shall provide consultation to the Girls Court staff during weekly case reviews and on an as needed basis, regarding issues of concern that may affect the overall well-being of the Girls Court participants.

- e. The provider shall be available to Girls Court participants during crisis situations as well as provide consultation to staff as needed during emergencies, including beyond regular work hours.
- f. The provider shall provide family therapy on a monthly basis to the Girls Court participants and their family to address family issues and areas of conflict.

2. Parent Group Sessions

- a. The provider shall facilitate Family Group sessions involving all families in a cohort.
- b. The purpose of the sessions is to engage the families in the Girls Court Program, as well as in the healthy development of the Girls Court participants.

3. Girls Group Sessions

- a. The Girls Court participants attend bimonthly group sessions. The provider shall provide group facilitation.
- b. The purpose of the group sessions is to provide education, foster self-awareness and accountability, as well as to encourage the positive development of the Girls Court participants.
- c. The provider shall provide oversight and consultation to the Girls Court staff with respect to issues and concerns of group facilitation, in-group behavior management and follow-up to high risk disclosure.

4. Girls Court Activities

- a. The provider shall provide input into the planning of, and attend and participate in the Girls Court activities. These activities are designed to address the continuum of special needs of female adolescents and include physical and emotional health, sexuality, substance abuse, education, and employment.
- b. The schedule of activities is generally once per month includes quarterly community service events with girls and parents/guardians. During the Department of Education spring break, summer and fall inter-session, academic and/or vocational activities are additionally scheduled.

5. Consultation

- a. The provider shall participate as part of the Girls Court treatment team in meetings that may be scheduled by the Department of Education, Department of Health, and/or any of the respective contracted service providers.

6. Documentation

- a. After each individual and/or family therapy session, the provider shall submit to the Girls Court Coordinator/staff case notes that outline concerns and the participant's progress towards her goals. Each session is to be documented in the participant's file.
- b. If a court ordered therapy session fails to occur, the provider will notify the Girls Court staff of the missed session and the reason.
- c. The provider shall maintain frequent contact with the Girls Court staff both by phone and in writing to inform them of the ongoing status of the cases.

B. Management Requirements

1. Personnel

- a. The applicant must have a good understanding of gender-responsive principles and apply it to service delivery.
- b. The applicant shall possess and document knowledge, capacity, skills and experience in working with the targeted population.
- c. The applicant shall conduct a State and Federal fingerprint- based criminal history record check for any person, including, but not limited to any officer, employee, volunteer or subcontractor, who performs work or services which necessitates close proximity to or unsupervised access to vulnerable clients such as children, disabled, and/or the elderly , or other program related vulnerable clients . In addition, the applicant will conduct a search of the State and National Sex Offender Registries, <http://sexoffenders.hawaii.gov> (State Sex Offender Registry) and the www.nsopr.gov (National Sex Offender Public Registry). The minimum record check will be conducted once every four years for each person, and/or at the outset of the contract period if such checks have never been conducted. Further, the applicant will ensure the continued

suitability of any officer, employee, volunteer or subcontractor to work or provide services to vulnerable clients. Results of all criminal history record inquiries conducted shall be placed in the employee's or volunteer's personnel file and shall be available to Judiciary for review. The applicant further shall have a written plan for addressing any findings that result from a criminal history record check that may affect the treatment milieu (e.g. actively under the supervision of any criminal justice agency, convicted sex offenders). Prior to commencing any work or services on the contract, the applicant shall ensure that any officer, employee, volunteer or subcontractor is suitable to be performing work or services in close proximity to or with unsupervised access to children, disabled, and/or elderly clients will be of reputable and responsible character and will not pose a risk to the health, safety, security, or well-being of clients, staff and the general public.

- d. The applicant shall conduct Child Protective Services central registry checks on any administrative and program staff and volunteers working in positions which necessitate close proximity to children or adolescents.
- e. The applicant shall submit an agency organizational chart which includes and identifies all programs that the agency /applicant oversees/administers, inclusive of subcontractors and consultants.
- f. The applicant shall have on the premises at least one person currently certified in First Aid and CPR unless otherwise specified by the Judiciary.
- g. The Applicant shall maintain documentation for each employee of an initial and annual tuberculosis (TB) skin test or chest X-ray.
- h. The staff and volunteers, if used by the applicant, shall be under the supervision of the program director or his or her designee and shall, accordingly, be trained in client confidentiality issues and program quality assurance requirements.

2. Administrative

- a. The applicant shall establish and implement policies and procedures which clearly identify the target population for each type of service, the program content, and methods of service delivery.
- b. Court appearances and/or testimony shall be provided as needed.

3. Quality assurance and evaluation specifications

- a. The applicant shall have a quality assurance plan which identifies the mission of the organization, what services will be provided, how they are delivered, who is qualified to deliver the services, who is eligible to receive the services, and what standards are used to assess or evaluate the quality and utilization of services.
- b. Program evaluation should reflect the documentation of the achievement of the stated goals, using tools and measures consistent with the professional standards of the disciplines involved in the delivery of services.
- c. Applicants shall agree, by contract, to be willing to undergo a program assessment and/or audit designed to assess applicant's implementation of effective practices in working with offenders with substance use problems. Based on the assessment/audit report, the vendor will develop in concert with the contracting agency, an action plan to address areas which need improvement. There should be at least one quality improvement activity completed annually.
- d. Applicants shall provide all program monitoring, assessments and/or evaluation reports completed within the last two years.

4. Output and performance/outcome measurements

- a. Output: The applicant shall record unduplicated clients served. The unduplicated client count shall be recorded in the applicant's quarterly reports, culminating in a final unduplicated client count on the applicant's final report.
- b. Outcome: The applicant shall propose measurement tools by which effectiveness of the services may be determined, as well as utilize any provided by the Judiciary.

5. Experience

- a. The Applicant must have demonstrated competence or qualifications to perform the required services.
- b. The Applicant shall have experience in providing trauma care treatment.

6. Coordination of service

- a. Applicants shall describe their ability to collaborate with other appropriate services, including, but not limited to, health, mental health, social, educational, vocational rehabilitation and employment services.

7. Reporting requirements for program and fiscal data

- a. The applicant shall submit written quarterly and year-end reports summarizing output and outcome data, performance accomplishments, challenges, and actual expenditures. Quarterly reports are due 30 days after the end of the quarter. Final reports are due 45 days after the end of each fiscal year and/or at the end of the contract period, as applicable.
- b. Reports shall consist of a statement by the applicant relating to the work accomplished during the reporting period and shall include statements of the nature of the work performed, identification of persons served by the applicant during the reporting period, identification of any immediate problems encountered during the reporting period, and any recommendations deemed pertinent by the applicant, as well as a statement of what activities are proposed to be accomplished during the next reporting period. In addition to the written progress reports, the applicant, upon request, shall be required to meet with representatives of the Judiciary to discuss the progress of the work required.
- c. The applicant shall, at the completion of the contract period, submit a final written report to the Judiciary. The report shall include documentation of the applicant's overall effort towards meeting the program goals and objectives, to include information on the outcome(s) of quality improvement activities engaged in. Furthermore, the applicant shall furnish any additional reports or information that the Judiciary may from time to time require or request.

8. Pricing or pricing methodology to be used

Negotiated "Unit of Service" and/or "Fixed Rate" pricing methodology.

9. Units of service and unit rate

<u>Service</u>	<u>Unit</u>	<u>Frequency</u>
Court Session	2 hrs./session	1 session/month (2 hrs./month)
Parent Group	2 hrs./group	1 group/month (2 hrs./month)
Girls Group	2 hrs./group	2 groups/month (4 hrs./month)
Individual Therapy Session	1 hr./session (5girls)	2 sessions/month (10 hrs./month)
Family Therapy Session	1 hr./session (5 families)	1 session/month (5 hrs./month)
Treatment Team Meeting	2 hrs./meeting (5 girls/month)	1 session/month (2 hrs./month)
Staff Meeting	2 hrs./meeting	1 meeting/week (8 hrs./month)
Pre-Court Conference	2 hrs. conference	1 conference/month (2hrs./month)
Activities	6 hrs./activity	1 activity/month (6hrs./month)
After Hours Contact (evenings & weekends)	5 hrs./week (5 girls)	

**2.16 SVC SPEC TITLE: Juvenile Client and Family Services
MHA - Mental Health Assessment Services**

2.16.1 Introduction

A. & B. - (SEE SECTION 2.0.1)

C. Description of the goals of the service

Adolescents in the juvenile justice system exhibit high rates of mental health problems. Co-occurring disorders, histories of trauma and abuse, depression, self-mutilation, suicide attempts, substance abuse, and family conflicts are particular problems. Professional mental health assessment services are needed for these adolescents who are involved in the juvenile justice system, and are not otherwise eligible for mental health assessment services from another state agency or private insurance plan. The goal is that by effectively identifying and addressing the mental health treatment needs of adolescents in the juvenile justice system will result in more successful outcomes in helping adolescents and their families learn better coping strategies, improving their behavioral and life circumstances, and reducing the likelihood of recidivism.

D. Description of the target population to be served

Adjudicated male and female adolescents between the ages of 12-17 being supervised by the First Circuit's Family Court.

E. Geographic coverage of service

Service areas include the following:
First Circuit- Island of Oahu

The applicant shall demonstrate actual capacity to provide the required services in the service area for which it is applying.

F. Probable funding amounts, source, and period of availability

Probable funding amounts:

<u>FY 2020</u>	<u>FY 2021</u>	<u>FY2022</u>	<u>FY2023</u>
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Funding amounts are not being stated at this time. Applicants should propose funding amounts in their proposals based on their best estimate of the cost of providing the services described in this specification.

Funding source: State general funds, federal and special funds should they become available.

Period of availability: The Judiciary intends to award a multi-term contract. The aggregate term of the contract will not exceed four (4) years, e.g., July 1, 2019 to June 30, 2023 subject to the appropriation and availability of funds and satisfactory contract performance. All State funds are contingent on appropriations. Funds are available for only the initial term of the contract which is for two (2) years.

2.16.2 General Requirements

A. Specific qualifications or requirements, including but not limited to licensure or accreditation.

1. The applicant shall have licenses and certificates, as applicable in accordance with federal, state, and county regulations, and comply with all applicable Hawaii Administrative Rules. Applicant shall meet clinical standards as defined in the most current Child and Adolescent Mental Health Performance Standards (CAMHPS), including all relevant licensing requirements.
2. The applicant must have demonstrated competence or qualifications to perform the required services, and shall have a minimum of 8-10 years of experience working with youth and families active in the juvenile justice system and/or child welfare system.
3. The applicant must have an accounting system, with acceptable accounting practices and standards.
4. The proposed service must meet all required state licensing or certification standards, provide assurances of fair hearing and grievance procedures for clientele, civil rights compliance, information safeguarding practices (i.e. 42 C.F.R Part 2, Section 325-101 HRS, Section 334-5 HRS, HIPAA, and FERPA), and provide proof of insurance coverage as applicable.
5. The applicant shall submit in a timely manner upon request by the Judiciary, any additional information needed by the Judiciary to make a decision on the applicant's proposal. The Judiciary may request an oral discussion or presentation in support of the proposal. On-site visits may be made.
6. The applicant shall comply with the Chapter 103F, HRS Cost Principles for Purchases of Health and Human Services identified in SPO-H-201 (Effective 10/01/98), which can be found on the SPO website (See Section 5, POS Application Checklist, for the website address).

B. Secondary purchaser participation (Refer to Section 3-1143-608,HAR)

After-the-fact secondary purchases will not be allowed.

C. Multiple or alternate proposals
(Refer to Section 3-143-605,HAR)

☐ Allowed ☒ Unallowed

D. Single or multiple contracts to be awarded

(Refer to Section 3-143-206,HAR)

☐ Single ☐ Multiple ☒ Single and Multiple

Multiple contracts may be awarded if such awards are deemed to be in the best interest of the Judiciary and will be based on the highest ranked proposals.

E. Single or multi-term contracts to be awarded

(Refer to Section=149-302,HAR)

☒ Single term (< 2 yrs) ☒ Multi-term (>2 yrs)

A multi-term contract will be awarded based on a determination that it is in the best interest of the Judiciary. The initial term of the contract shall be for two (2) years. Funds are available for only the initial term of the contract. The contract may be extended for another two (2) years, subject to appropriation and availability of funds and satisfactory performance of services by provider. Execution of a contract amendment is required to extend the contract for another term. The aggregate term of the contract shall not exceed four (4) years, e.g. July 1, 2019 to June 30, 2023. If it is determined that it is not in the best interest of the Judiciary to award a multi-term contract, a single term contract will be awarded.

F. RFP contact persons

The individuals listed below are the points of contract from the date of release of this RFP until the selection of the winning provider. Written questions should be submitted to the RFP contact person(s) and received on or before the day and time specified in Section 1.1 (Procurement Timetable) of this RFP.

If you have any technical questions regarding the requested services, please call the following individual:

Judiciary Purchasing Office
Tritia Cruz at (808) 538-5805 Fax: (808) 538-5802
Email: Tritia.L.Cruz@courts.hawaii.gov

If you have any programmatic questions regarding the requested services, please call the following individual:

Oahu: Program Specialist, First Circuit
Anona Gabriel at (808) 954-8275 Fax: (808) 954-8573

2.16.3 Scope of Work

The scope of work encompasses the following tasks and responsibilities:

A. Service Activities (Minimum and/or mandatory tasks and responsibilities)

1. Provide as necessary, the following mental health assessment services:

- a. Comprehensive mental health assessments. Applicant shall identify assessment tools, and provide a detailed description of what they would include in the mental health assessment.
- b. Focused mental health assessments, completed when a comprehensive mental health assessment was completed on a youth with one year from the current date of referral. Applicant shall identify information to be included in the focused mental health assessment.
- c. Applicant shall be available to meet with youth detained at the Hale Hoomalu Juvenile Detention Facility, or placed at Home Maluhia, Family Court shelter, to complete the mental health assessment in a timely manner.

2. Consultation

- a. Applicant shall be available to have a consultation session, upon request by probation officer, via telephone conference with the Probation Officer, parent(s)/legal guardian(s) and/or youth to interpret (explain) the written mental health assessment and answer any questions that the parties may have.

B. Management Requirements (Minimum and/or mandatory requirements)

1. Personnel

- a. The applicant shall have verifiable experience for the last eight to ten years in providing relevant services to our Family Court youth and families.

- b. The applicant shall possess and document knowledge, capacity, skills and experience in working with the targeted population.
- c. The applicant shall conduct a State and Federal fingerprint- based criminal history record check for any person, including, but not limited to any officer, employee, volunteer or subcontractor, who performs work or services which necessitates close proximity to or unsupervised access to vulnerable clients such as children, disabled, and/or the elderly , or other program related vulnerable clients . In addition, the applicant will conduct a search of the State and National Sex Offender Registries, <http://sexoffenders.ehawaii.gov> (State Sex Offender Registry) and the www.nsopr.gov (National Sex Offender Public Registry). The minimum record check will be conducted once every four years for each person, and/or at the outset of the contract period if such checks have never been conducted. Further, the applicant will ensure the continued suitability of any officer, employee, volunteer or subcontractor to work or provide services to vulnerable clients. Results of all criminal history record inquiries conducted shall be placed in the employee's or volunteer's personnel file and shall be available to Judiciary for review. The applicant further shall have a written plan for addressing any findings that result from a criminal history record check that may affect the treatment milieu (e.g. actively under the supervision of any criminal justice agency, convicted sex offenders). Prior to commencing any work or services on the contract, the applicant shall ensure that any officer, employee, volunteer or subcontractor is suitable to be performing work or services in close proximity to or with unsupervised access to children, disabled, and/or elderly clients will be of reputable and responsible character and will not pose a risk to the health, safety, security, or well-being of clients, staff and the general public.

2. Administrative

The applicant shall establish and implement policies and procedures which clearly identify the target population for each type of service, the program content and methods of service delivery.

3. Quality assurance and evaluation specifications

- a. The applicant shall have a quality assurance plan which identifies the mission of the organization, what services will be provided, how they are delivered, who is qualified to deliver the services, who is eligible to receive the services, and what standards are used to assess or evaluate the quality and utilization of services.
- b. Program evaluation should reflect the documentation of the

achievement of the stated goals, using tools and measures consistent with the professional standards of the disciplines involved in the delivery of services.

4. Output and performance/outcome measurements

- a. Output: The applicant shall record unduplicated clients served. The unduplicated client count shall be recorded in the applicant's quarterly reports, culminating in a final unduplicated client count on the applicant's final report.
- b. Outcome: The applicant shall propose measurement tools by which effectiveness of the services may be determined, as well as utilize any provided by the Judiciary.

5. Reporting requirements for program and fiscal data

- a. The applicant shall submit written quarterly and year-end reports summarizing output and outcome data, performance accomplishments, challenges, and actual expenditures. Quarterly reports are due 30 days after the end of the quarter. Final reports are due 45 days after the end of each fiscal year and/or at the end of the contract period, as applicable.
- b. Reports shall consist of a statement by the applicant relating to the work accomplished during the reporting period and shall include statements of the nature of the work performed, identification of persons served by the applicant during the reporting period, identification of any immediate problems encountered during the reporting period, and any recommendations deemed pertinent by the applicant, as well as a statement of what activities are proposed to be accomplished during the next reporting period. In addition to the written progress reports, the applicant, upon request shall be required to meet with representatives of the Judiciary to discuss the progress of the work required.
- c. The applicant shall, at the completion of the contract period, submit a final written report to the Judiciary. The report will include documentation of the applicant's overall effort toward meeting the program goals and objectives. Furthermore, the applicant shall furnish any additional reports or information that the Judiciary may from time to time require or request.

6. Pricing or pricing methodology to be used

Negotiated unit rate.

The Applicant shall maximize reimbursements of benefits for all levels of care through Hawaii Quest and Quest Net, the client's private insurance, the Department of Human Services or any other sources of payment known to the Applicant by the client for treatment. Payments to the Applicant shall be reduced by received third party payments.

DRUG COURTS

2.17 SVC SPEC TITLE: Drug Courts for First, Third (adults only) and Fifth Circuit DR135 - Drug Court

(For the First, Third (adults only) and Fifth Circuit Courts, please refer to the Adult Client Services sections (2.1 through 2.4) and the Juvenile Client & Family Services sections (2.5 through 2.16) for appropriate substance abuse service specifications in these courts.)

**2.18 SVC SPEC TITLE: Drug Courts, Second Circuit
DR2FCDC - Integrated Substance Abuse Treatment Services,
Family Court Drug Court Program**

2.18.1 Introduction

A. & B. (SEE SECTION 2.0.1)

C. Description of the goals of the service

The goals of the services being requested in this RFP are as follows:

1. To provide treatment services delivered in the drug court treatment modality to clients under Family Court jurisdiction for which substance abuse is a primary issue and who are participating in the Family Court Drug Court Program (FCDCP) in one of its three tracks:
 - a. “J” Track (Levels J-3, J-4, and J-5) will serve juveniles who are under the jurisdiction of Family Court because of status or law violations;
 - b. “S” Track will serve parents and families involved in child protective proceedings in Family Court;
 - c. “CR” Track will serve clients who are under the jurisdiction of Family Court because of domestic abuse offenses.
2. To provide comprehensive substance abuse assessments which include components that address bio-psychsocial functioning and family functioning. These assessments will be used to evaluate clients’ appropriateness for admission to the FCDCP and to determine the appropriate level of service.
3. To provide drug testing services for FCDCP participants in accordance with best practices/evidence based models.

The goal of this treatment and compliance monitoring is to assist clients to increase knowledge about the effects of substance use, decrease and/or abstain from substance use, abstain from any use of methamphetamine, increase pro-social activities, and improve adaptive functioning in school, work, peer relationships, recreational activities, and other areas; identify, create and strengthen cohesive, developmentally appropriate relationships, enhance parents’ ability to provide a safe family home, decrease criminal or delinquent behavior, decrease related problems such as school failure,

behavior problems and emotional distress, and increase non-violence. Services should also be reflective of the court's balanced and restorative justice philosophy which includes the goals of accountability, competency development, and public safety.

D. Description of the target population to be served

1. Treatment services are intended for juveniles, parents/custodians, individuals and families involved in Family Court proceedings for which substance abuse is the primary issue and who consent to participate in the FCDCP. In addition, those juveniles meeting program specified criteria and deemed to be appropriate for the "J" Track may be admitted on an involuntary basis pursuant to an order by the Court. Specifically, the target population in each track is as follows:
 - a. "J" Track (Levels J-3, J-4, J-5): Youths up to age nineteen (19), unless otherwise specified by the FCDCP, who are under the jurisdiction of the Family Court and who have not caused serious bodily injury or used a weapon in the commission of any offense. Highest priority shall be to youth charged with Dangerous Drug offenses.
 - b. "S" Track: Parents and household members who are under the jurisdiction of the Family Court through child protective proceedings. Clients must not have unresolved serious criminal charges. Priority shall be given to clients willing to participate in the program at the commencement of the case.
 - c. "CR" Track: Adults who are charged with domestic abuse offenses and/or facing probation revocations for these types of offenses and who have not caused serious bodily injury or used a weapon or instrument in the commission of any offense. Priority shall be given to those most likely to receive a sentence of incarceration significantly in excess of the two-day minimum.
3. Drug testing services will be provided to adult and juvenile clients participating in the FCDCP. Family members and other identified significant others may also be referred for drug testing services as determined to be appropriate by the FCDCP Treatment Team and only on a voluntary basis.
4. Comprehensive substance abuse assessments will be provided to juvenile

and adult clients through the FCDCP.

E. Geographic coverage of service

Second Circuit -- Islands of Maui, Molokai and Lanai

The applicant may propose to service clients from one or more geographic areas. The applicant need not submit separate proposals for each island. If an applicant proposes to service clients from more than one island, applicant's proposal shall indicate what services will be provided on each island and describe differences in service capacity or capability as applicable.

Preference will be given to services provided in the Second Circuit, however, applicants may submit proposals for Residential Treatment and Therapeutic Living Program services as specified in this RFP which are located in the First, Third, or Fifth Circuit.

F. Probable funding amounts, source, and period of availability

Funding source: State general funds, public grants

Other potential funding sources: Federal funds, private grants

Probable funding amounts:

<u>FY 2020</u>	<u>FY 2021</u>	<u>FY 2022</u>	<u>FY 2023</u>
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Period of availability: The Judiciary intends to award a multi-term contract. The aggregate term of the contract shall not exceed four (4) years, e.g., July 1, 2019 to June 30, 2023, subject to the appropriation and availability of funds and satisfactory contract performance. All State general funds are contingent on appropriation. Funds are available for only the initial term of the contract from July 1, 2019 through June 30, 2021.

NOTE: Funding amounts are not being stated at this time. Applicants should propose funding amounts in their proposals based on their best estimate of the cost of providing the services described in these specifications.

2.18.2 General Requirements

A. Specific qualifications or requirements, including but not limited to licensure or accreditation

1. The applicant shall have licenses and certificates, as applicable, in accordance with federal, state and county regulations, and comply with all applicable Hawaii Administrative Rules.
 - a. Residential programs, in accordance with Title 11, Chapter 98, Special Treatment Facility, must have a Special Treatment Facility license at the time of application and abide by applicable administrative rules governing accreditation of substance abuse treatment programs
 - b. Unless otherwise specified in this RFP, therapeutic living programs must meet the Department of Health, Alcohol and Drug Abuse Division's (ADAD) Therapeutic Living Program Requirements as specified in the Division's RFP for Substance Abuse Treatment Services until applicable administrative and licensing rules are implemented by the Department of Health. Upon implementation of duly authorized administrative and licensing rules, programs must comply accordingly.
 - c. Applicants shall comply with Title 11, Chapter 175, Mental Health and Substance Abuse System.
 - d. Sober Housing must meet applicable state and county codes, standards and zoning requirements.
 - e. The proposed service must meet all required state licensing or certification standards, provide assurances of fair hearing and grievance procedures for clientele, civil rights compliance, information safeguarding practices, and provide proof of insurance coverages and identification as applicable.
2. The applicant must clearly state the specific service activity, level(s) of intervention and the specified track(s) it is proposing to service.
3. The applicant must have an accounting system, with acceptable accounting practices and standards.

4. The applicant shall submit in a timely manner upon request by the Judiciary, any additional information needed by the Judiciary to make a decision on the applicant's proposal. The Judiciary may request an oral discussion or presentation in support of the proposal. On-site visits may be made.
5. The applicant shall comply with the Chapter 103F, HRS Cost Principles for Purchases of Health and Human Services identified in SPO-H-201 (Effective 10/01/98), which can be found on the SPO website (See Section Five, Proposal Application Checklist, for the website address).

**B. Secondary purchaser participation
(Refer to §3-143-608, HAR)**

After-the-fact secondary purchases will be allowed.

**C. Multiple or alternate proposals
(Refer to §3-143-605, HAR)**

☐ Allowed ☒ Unallowed

Applicants' proposal may include more than one service activity as specified in Section 2.18.3 but applicants may submit not more than one proposal for each service activity per island.

**D. Single or multiple contracts to be awarded
(Refer to §3-143-206, HAR)**

☐ Single ☐ Multiple ☒ Single & Multiple

Multiple contracts may be awarded if such awards are deemed to be in the best interest of the Judiciary, and will be based on the highest ranked proposals.

**E. Single or multi-term contracts to be awarded
(Refer to §3-149-302, HAR)**

☐ Single term (< 2 yrs) ☒ Multi-term (> 2 yrs.)

A multi-term contract will be awarded based on a determination that it is in the best interest of the Judiciary. The initial term of the contract shall be for

two (2) years. Funds are available for only the initial term of the contract. The contract may be extended for another two (2) years, subject to appropriation and availability of funds and satisfactory performance of services by provider. Execution of a contract amendment is required to extend the contract for another term. The aggregate term of the contract shall not exceed four (4) years, e.g., July 1, 2019 - June 30, 2023. If it is determined that it is not in the best interest of the Judiciary to award a multi-term contract, a single-term contract will be awarded.

F. RFP contact persons

The individuals listed below are the points of contact from the date of release of this RFP until the selection of the winning provider or providers. Written questions should be submitted to the RFP contact person(s) and received on or before the day and time specified in Section 1.1 (Procurement Timetable) of this RFP.

If you have any technical questions regarding the RFP process, please call the following individual:

Tritia Cruz, Contracts and Purchasing Office
Phone: (808) 538-5805 Fax: (808) 538-5802
Email: Tritia.L.Cruz@courts.hawaii.gov

If you have any programmatic questions regarding the requested services, please call the following individual:

David K. Ortiz, Program Specialist, Second Circuit
Phone: (808) 244-2792 Fax: (808) 244-2870
Email: David.K.Ortiz@courts.hawaii.gov

2.18.3 Scope of Work

Applicants may propose services for any or all service activities; all tracks or specified track(s) except that the assessment service provider is not eligible to provide treatment services on the same island for which it provides assessment services.

NOTE: Proposals will be evaluated by service activity according to Section Four of this RFP and will be scored and ranked separately within the following categories: Drug Testing Services, Assessment Services, Family/Systems Based Intervention, Adult Domestic Violence Intervention, Adult In-Community Substance Abuse Services, Adult Residential Substance Abuse Services, Juvenile In-Community Substance Abuse Services, and Juvenile Residential Substance Abuse Services.

A. Drug Testing

Applicants must have the capability to do drug and alcohol testing for youths and adults referred by the FCDCP and must provide gender-specific observation of client providing urine specimen; conduct drug screen and provide results to the FCDCP and as directed by the FCDCP. **Applicants must also have the capability to submit specimens to approved laboratories for confirmation and verification testing of alcohol and drugs, and must specify service delivery in regards to gender and age of the clients, days and times as well as locations of the drug testing sites. Preference will be given to those applicants offering the most flexibility in terms of population to be served, days/times of service, and convenience of location.**

NOTE: These drug testing services are independent of those administered to clients as part of their participation in substance abuse treatment programs.

B. Assessments

Comprehensive substance abuse assessments that are system-focused and strengths based shall be provided for youth and adults who are prospective FCDCP clients and those who may have been court-ordered into or provisionally admitted into the program. Assessments shall include components that thoroughly assesses bio psycho-social and family functioning. As part of the assessment process, assessors must identify those individuals who care about the client and the family and are required to interview family members and other supportive individuals important to the client's recovery. The assessment must be useful to assist the FCDCP to determine client's appropriateness for participation in the FCDCP and the appropriate type and level of services necessary for the client and his/her family, including the identification of risk and protective factors. Applicants must use evaluation tools consistent with evidence based practices. A description of these evaluation tools must be provided by the Applicant. Assessments must be completed within fourteen (14) days of referral.

C. Treatment services

Treatment services shall be client-centered, strength-based, gender specific for substance abuse and when appropriate, for all other treatment/service issues, culturally competent, and shall be implemented in a way that encourages adaptations to increase quality of service. Applicants shall identify barriers to client success in each case for the FCDCP team to consider. For applicants proposing services utilizing group modalities, contingency plans in the event the

client census is not conducive to group treatment shall be described. Although dedicated group sessions are preferred, for all service activities except for the Family/Systems Based Intervention, FCDCP clients may be co-mingled with other non-FCDCP participants in group counseling should it not be practicable to provide these sessions solely for FCDCP clients. Length of participation in the FCDCP in most cases will range from ten (10) months to twenty-two (22) months.

1. Family/Systems Based Intervention:

The focus of this intervention shall be the family/system which is comprised, by definition, of those around the substance abusing client who care for or are important to the client in resolving the problem. Tasks that need to be accomplished include developing an alliance with the family, identifying supports to promote and assist family involvement, reducing negativity and resistance to therapeutic intervention, developing a family/system focus and increasing motivation for change. Additionally, applicants are expected to develop and implement individualized (family) change plans, target and resolve specific problem behaviors and increase the effectiveness of relational and communication skills within the family/system. Individual therapy may also be provided in appropriate cases as directed by the FCDCP Treatment Team. Applicants must provide a complete description of the therapeutic model proposed and the basis for its selection as an appropriate intervention for FCDCP clients.

Family/systems based intervention services must be provided to all FCDCP participants, their family members and other supportive individuals as directed by the FCDCP Treatment Team and must commence within seven (7) days from referral by the FCDCP. Services are generally delivered through one (1) to eight (8) hours per family/system of face-to-face treatment weekly. The specific number of hours of treatment for each client shall be determined by the FCDCP Treatment Team. Family/systems therapists shall meet with the client and his/her family and other supportive individuals in the place of residence of the client/family or in other settings approved by the FCDCP.

On a regular basis, family group sessions focused on educational and process goals as well as to foster group cohesiveness and support for all clients participating in the FCDCP must be made available. These supportive psycho-educational group sessions shall be facilitated at minimum by a staff who possesses a Bachelor's degree with experience working in the substance abuse field. Topic areas may include but not limited to value systems, understanding substance abuse issues, and

criminal thinking.

Applicant must provide a description of proposed curriculum for family groups conducted.

Therapists providing individual and family-systems based interventions must hold an advanced degree in behavioral health sciences such as in the areas of marriage and family counseling, social work or other related fields.

2. Adult Domestic Violence Intervention

Treatment services shall be through a group modality and shall integrate batterer intervention, anger management and substance abuse issues. These group sessions shall provide psycho-educational intervention services that address the criminal conduct of batterers who have co-occurring alcohol and other drug use problems. Group treatment shall be co-led with a female and male facilitator as much as possible. The combined training and experience of the facilitators should be in the areas of domestic violence intervention and substance abuse treatment. At least one facilitator should be a Hawaii State Certified Substance Abuse Counselor (CSAC). Individual counseling sessions may be authorized by the FCDC Treatment Team as appropriate and may be substituted for group sessions. Domestic violence intervention services provided must follow the guidelines in the “Hawaii Batterers Program Standards.”

3. Adult Substance Abuse Treatment:

- a. Outpatient Treatment – An Outpatient Treatment Program shall provide non-residential comprehensive specialized services on a scheduled basis for clients with substance abuse problems. Professionally directed evaluation, treatment, case management, and recovery services shall be provided to clients with less problematic substance abuse related behavior than would be found in a Residential treatment program.

An Outpatient Program shall provide between one (1) and eight (8) hours per client per week of face-to-face treatment, with a minimum of one (1) individual counseling session per month. Additional individual counseling sessions may be required as determined by the FCDCT Treatment Team.

- b. Intensive Outpatient Treatment – An Intensive Outpatient Program

shall provide a minimum of nine (9) hours per week of skilled treatment services. Such treatment usually operates for at least three (3) or more hours per day for three (3) or more days per week. Services shall include individual and group counseling. Professionally directed evaluation, treatment, case management, and recovery services shall be provided.

Intensive Outpatient Programs shall provide a minimum of nine (9) hours up to a maximum of nineteen (19) hours per client per week of face-to-face treatment, with a minimum of one (1) individual counseling session per client per week.

- c. Continuing Care or Aftercare – Continuing Care or Aftercare is an organized service that shall provide treatment reinforcement services to the client who has completed treatment. Relapse and recidivism prevention shall be the focus. Generally, approximately one and a half (1.5) hours of individual and/or group activities may be scheduled with each client as determined to be appropriate by the FCDCP Treatment Team.

- d. Residential Services

- 1) Residential Treatment – A Residential Treatment Program shall provide twenty-four (24) hour per day non-medical non-acute care in a residential treatment facility that provides a planned regimen of professionally directed evaluation, treatment, case management, and other ancillary and special services. Observation, monitoring, and treatment are available twenty-four (24) hours a day, seven (7) days a week, with a minimum of one (1) individual counseling session per week with each client.

- 2) Therapeutic Living Programs:

- a) Transitional Living Programs for Adults (TLPA)

- These programs provide residential living to residents who are currently receiving substance abuse treatment in a day or outpatient program or have been clinically discharged from treatment yet still are in need of supervision and a clean and sober living environment. All residents in the same

transitional residential living program house shall be adults of the same gender. At a minimum, one direct services staff member with a current first aid certificate and CPR training shall be present in the program when residents are present. For non-therapeutic program hours, the program shall have sufficient staff, as approved by the department, to ensure the safety, health, and delivery of the services. A minimum of fifteen (15) hours per week of face-to-face supportive psycho-social services shall be provided to each resident each week.

b) Transitional Living Programs for Parents with Children (TLPAC)

These programs provide residential living services to residents who are currently receiving substance abuse treatment in a day or outpatient program, or who have been clinically discharged from treatment yet still need supervision and a clean and sober living environment. All residents in the program shall be pregnant women or women with child(ren) or men with child(ren). All adults in the same transitional residential living program house shall be of the same gender. Staff shall be onsite twenty-four (24) hours per day, seven (7) days per week. For non-therapeutic program hours, the program shall have sufficient staff, as approved by the Department of Health, to ensure the safety, health, and delivery of services. A minimum of fifteen (15) hours per week of face-to-face supportive psycho-social services shall be provided to each resident each week.

c) Semi-supervised, Independent but Structured Living Arrangements for Adults (SISLA)

These programs provide a structured living arrangement for adults who need minimum professional or paraprofessional support in order to live in the community and avoid a deterioration in functioning and a more restrictive level of care. Staff

must be on site a minimum of twelve hours per day, and on call for twenty-four (24) hours per day, seven (7) days per week. At a minimum, one staff member shall be available for every fifteen (15) residents. All residents in the housing unit shall be adults of the same gender. Further requirements are:

- (1) At least ten (10) hours a week of case management shall be provided to assist residents in independent living skills.
- (2) The program shall maintain scheduled services to facilitate accessibility to and attendance at employment, self-help groups, counseling, and vocational counseling.
- (3) The program shall provide or arrange for educational services appropriate to the level of functioning and comprehension of the resident.
- (4) The program shall provide residents with information about community resources and assist them in accessing those resources.
- (5) The program shall facilitate peer group support and provide supervision in daily living skills and work.

- e. Sober Housing -- Sober housing shall provide a sober living environment as part of transitional planning for recovering individuals who generally have completed appropriate substance abuse treatment services and who require a supportive, alcohol and drug-free residence that will reinforce sober and responsible behavior. Residents do not require twenty-four (24) hour supervision, rehabilitation, therapeutic services, or home care. Sober houses may be democratically managed and self-supporting, with limited, short-term Judiciary funding provided for eligible clients' rental fees and/or other program operations.

In its proposal, the applicant shall include its policies and procedures regarding the provision of Sober Housing. At a

minimum, the policies and procedures must specify that residents may not possess or consume alcohol, illegal drugs, or non-medically prescribed medication on or off the premises.

4. Juvenile Substance Abuse Treatment

Applicants shall provide dynamic, interactive, culturally sensitive, activity oriented, evidence-based program components designed to engage youth and their parents/guardians as appropriate, in the process of change and the emphasis of programming shall be variety and age appropriateness.

- a. Outpatient Treatment - Provides non-residential services to adolescents with substance abuse problems. Services include orientation, treatment planning, service transitions and discharge planning. Outpatient level of services provide between one (1) to eight (8) hours weekly of face-to-face treatment in non-residential substance abuse services to youths, including individual and group counseling.
- b. Intensive Outpatient Treatment - Intensive outpatient level of services provide between nine (9) and nineteen (19) hours weekly of face-to-face treatment in non-residential substance abuse services to youth, including individual and group counseling.
- c. Residential Treatment - Youths who are determined to require the most intensive level of treatment shall be referred for this level of care. This level of care shall provide twenty-four (24) hour staff secured care in a highly structured, integrated residential setting for approximately one (1) to four (4) months. Residential treatment shall include a planned regimen of professionally directed evaluation, treatment, individual and group counseling, skill building, recreational activities, family services, case management and other ancillary and special services. Services include orientation, assessment, treatment planning, transition/discharge planning, individual and group counseling. Other features of residential substance abuse treatment shall include:
 - 1) Observation, monitoring, and treatment are available twenty-four (24) hours a day, seven (7) days a week.
 - 2) Department of Education approved appropriate grade-level academic program.

- 3) Consultation with licensed psychiatrist or psychologist trained in child development, family systems, and substance abuse treatment.
- 4) No co-mingling of adults and juveniles in treatment.

D. Other Requirements Relating to Service Activities

1. For all adult and juvenile substance abuse service activities, except for sober housing, the applicant shall have the capability and capacity to conduct alcohol and drug testing. Testing materials, training and monitoring of service quality shall be provided by the applicant. The applicant shall provide their written policies and procedures for such testing and shall describe the frequency and application of testing in treatment. Collection shall be random with gender-specific observation. The applicant shall insure that chain of custody and confidentiality issues are addressed appropriately. The applicant shall identify instrumentation being utilized to conduct such testing and shall have the ability to do laboratory confirmation testing utilizing Gas Chromatography Mass Spectrometry or Liquid Chromatography Tandem Mass Spectrometry. Laboratories conducting such confirmation testing shall be Substance Abuse and Mental Health Services Administration and/or possess College of Addiction Pathologists – Forensic Urine Drug Testing certified. Confirmation testing at Limit of Quantitation levels is preferred.

Additional consideration shall be given to applicants with the capability of administering drug testing through a variety of methodologies. The applicant's proposal shall clearly identify the drug testing methodologies to be utilized and the reason for the selection of the specific methodologies, including all supportive information.

2. Proposals shall delineate the following:
 - a. Identification of target group(s) to be serviced by the Applicant, including any applicable admissions eligibility or exclusionary criteria.
 - b. Identification and brief description of the distinguishing highlights for the evidence-based treatment model(s) to be used.

- c. Justification for the selection of the evidence-based treatment model(s).
- d. For Residential treatment programs, the nature and amount of time the client will be involved in structured activities per week.
- e. (1) Identification of assessment instrument(s) to be used; (2) the purpose of the instruments; and (3) how the instruments will be implemented.
- f. Identification of training(s) to be provided to staff; the frequency of the training(s); and, supervisory oversight for quality assurance.
- g. Identification, description and references for the curriculum to be used.
- h. Identification of the program targets for change.
- i. Identification of the program's completion criteria for the clinical discharge of the client.
- j. Identification of the program's termination or discharge criteria.
- k. Description and length of Continuing/Aftercare services.
- l. Identification and description of a quality assurance program that involves client care and the delivery of services, the personnel who will implement the evaluation and review, and the procedures for corrective actions for problems identified.

(For those proposing to provide more than one modality of care, please describe how responses to the above listed items will differ, as applicable, across the continuum.)

- 3. Aftercare components shall include the development and implementation of appropriate transition plans individually tailored for each client that address transition and recovery issues, and relapse prevention.
- 4. Clients in any level of treatment shall meet the most current version of the American Society for Addiction Medicine Patient Placement Criteria (ASAM-PPC 2R) for admission, continuance, and discharge.
- 5. Experience working with drug courts or in providing treatment and/or other

appropriate services to criminal justice clients is preferred.

6. Additional consideration shall be given to applicants that have a minimum of one year experience in the provision of substance abuse treatment services or in the provision of Therapeutic Living (Supportive Living) services for substance abuse clients. For those applicants that do not have a minimum of one year experience in substance abuse treatment or Therapeutic Living services, qualifications and other supportive information shall be detailed relevant to the applicant's competence to perform the required services.
7. Additional consideration shall be given to applicants with the capability to provide the following services:
 - Psychological/Psychiatric/Mental Health Evaluations
 - Medication Evaluation/Monitoring
8. The applicant must demonstrate an understanding that the FCDCP requires a team approach to provision of services and specifically to treatment planning and monitoring. Participation as an active member of the FCDCP Treatment Team and the ability to implement treatment decisions made by the team is a requirement as all treatment plans are reviewed and approved by the team. Weekly status reporting to the drug court in writing is also required. For example, written progress reports on the status of each client and family/system (including summaries of counseling sessions with names of those present, location of contact and whether in person or by telephone; drug testing results, etc.) and any recommendations must be provided prior to every drug court hearing. Also, if determined to be necessary by the FCDCP Treatment Team, the applicant must be available to participate in face-to-face meetings with the judge and other members of the Team to discuss all clients on the calendar for the week's drug court hearing, any clients applying for admission, any clients to be invited for admission, and any other issues. Additionally, the applicant must have the capacity to provide frequently updated statistics, including narratives, graphs and charts, on client demographics (e.g., age, race, drug of choice, drug use onset, prior treatment, prior convictions, pending offenses, employment, housing, etc.) and program outcomes (e.g., drug testing results, sanctions imposed, etc.).
9. The applicant shall have a comprehensive system for staff development and for monitoring and evaluating its service delivery. Staff development must include relating family/systems based interventions to substance abuse

treatment.

10. The applicant shall incorporate best practices/evidenced-based practices, such as a cognitive-behavioral approach, motivational interviewing, etc. into individual and group sessions as appropriate.
11. The applicant will demonstrate compliance with the State Department of Health, ADAD rules and regulations for the provision of treatment. Because ADAD may not have promulgated rules and regulations with respect to the provision of the services requested in this RFP, the evaluation of any applicant's conformity to this RFP may consider definitional information and description of services set forth in ADAD RFP Number HTH 440-08-01, Substance Abuse Treatment Services.

E. Management Requirements

1. Personnel

- a. The applicant shall possess and document knowledge, capacity, skills and experience in working with the targeted population.

- (1) The applicant shall ensure that clinical supervision over substance abuse treatment activities is provided by Hawaii State certified substance abuse counselors (CSACs) pursuant to Section 321-193 (10), Hawaii Revised Statutes; or who hold an advanced degree in behavioral health science, with at least one year experience working in the field of substance abuse/addiction. For the "CR" Track, supervision of facilitators must include monthly documented assessment of adherence to the Hawaii Batterers Intervention Program Standards for the Island of Oahu, Hawaii, 2002 (Revised 7/02) and quarterly monitoring of group sessions by supervisory personnel.

- (2) Individuals performing the following function shall be Hawaii State certified substance abuse counselors (CSACs) pursuant to 321-193 (10), Hawaii Revised Statutes (HRS), or hold an advanced degree in behavioral health sciences:

- Clinical supervision

CSACs and individuals who hold an advanced degree in behavioral health sciences shall perform the following

functions: however, non-CSACs or non-Masters level providers may be utilized as long as they are directly supervised* by a CSAC or Master level counselor and are working toward certification:

- Clinical evaluation
- Treatment planning
- Individual, group, and family counseling

*Direct supervision means a minimum of one (1) hour supervision for every seven (7) hours of performance. This involves teaching the supervisee about each core function of a substance abuse counselor, demonstrating how each core function is accomplished, the supervisee sitting in while the supervisor performs the function, the supervisee performing the function with the supervisor present, and finally, the supervisee performing the function independently, but with review and feedback from the supervisor. In addition, supervisees shall be required to attend ADAD-approved CSAC preparatory training when available.

NOTE: Preference will be given to applicants that propose to utilize direct services program staff who are CSACs with bachelors and/or advanced degrees in behavioral health sciences.

- (3) Applicants providing family based interventions shall demonstrate the knowledge, skills, attitudes, and education necessary to deliver such therapy. Staff development in these modalities will also be required.
 - (4) The applicant shall demonstrate that its staff have been appropriately assessed to have the knowledge, skills, attitudes and education necessary to provide services for the specific target populations it is proposing to service.
 - (5) The applicant's program staff may be required to attend training as arranged by the Judiciary on skill-building, specific therapeutic interventions, and other areas related to target populations.
- b. Therapeutic Living Programs shall be provided by staff knowledgeable in substance abuse problems and with experience in

case management. All direct service staff shall be familiar with substance abuse and recovery issues. The staff shall also be familiar with practices including knowledge of relapse prevention, vocational rehabilitation, case management, life skills, and community resources.

- c. The applicant shall conduct a State and Federal fingerprint- based criminal history record check for any person, including, but not limited to any officer, employee, volunteer or subcontractor, who performs work or services which necessitates close proximity to or unsupervised access to vulnerable clients such as children, disabled, and/or the elderly , or other program related vulnerable clients . In addition, the applicant will conduct a search of the State and National Sex Offender Registries, <http://sexoffenders.ehawaii.gov> (State Sex Offender Registry) and the www.nsopr.gov (National Sex Offender Public Registry). The minimum record check will be conducted once every four years for each person, and/or at the outset of the contract period if such checks have never been conducted. Further, the applicant will ensure the continued suitability of any officer, employee, volunteer or subcontractor to work or provide services to vulnerable clients. Results of all criminal history record inquiries conducted shall be placed in the employee's or volunteer's personnel file and shall be available to Judiciary for review. The applicant further shall have a written plan for addressing any findings that result from a criminal history record check that may affect the treatment milieu (e.g. actively under the supervision of any criminal justice agency, convicted sex offenders). Prior to commencing any work or services on the contract, the applicant shall ensure that any officer, employee, volunteer or subcontractor is suitable to be performing work or services in close proximity to or with unsupervised access to children, disabled, and/or elderly clients will be of reputable and responsible character and will not pose a risk to the health, safety, security, or well-being of clients, staff and the general public.
- d. The applicant shall conduct Child Protective Services central registry checks on any administrative and program staff and volunteers working in positions which necessitate close proximity to children or adolescents.
- e. The applicant shall submit an agency organizational chart which includes and identifies all programs that the agency /applicant

oversees/administers, inclusive of subcontractors and consultants.

- f. The applicant shall have on the premises at least one person currently certified in First Aid and CPR unless otherwise specified by the FCDCP.
- g. The Applicant shall maintain documentation for each employee of an initial and annual tuberculosis (TB) skin test or chest X-ray.
- h. The staff and volunteers, if used by the applicant, shall be under the supervision of the program director or his or her designee and shall, accordingly, be trained in client confidentiality issues and program quality assurance requirements.

2. Administrative

- a. The applicant shall establish and implement policies and procedures which clearly identify the target population for each type of service, the program content, and methods of service delivery.
- b. Court appearances and/or testimony shall be provided as needed.

3. Quality assurance and evaluation specifications

- a. The applicant shall have a quality assurance plan which identifies the mission of the organization, what services will be provided, how they are delivered, who is qualified to deliver the services, who is eligible to receive the services, and what standards are used to assess or evaluate the quality and utilization of services.
- b. Program evaluation should reflect the documentation of the achievement of the stated goals, using tools and measures consistent with the professional standards of the disciplines involved in the delivery of services.
- c. Applicants shall agree, by contract, to be willing to undergo a program assessment and/or audit designed to assess applicant's implementation of effective practices in working with offenders with substance use problems. Based on the assessment/audit report, the vendor will develop in concert with the contracting agency, an action plan to address areas which need improvement. There should be at least one quality improvement activity completed annually.

- d. Applicants shall provide all program monitoring, assessments and/or evaluation reports completed within the last two years.
- 4. Output and performance/outcome measurements
 - a. Output: The applicant shall record unduplicated clients served. The unduplicated client count shall be recorded in the applicant's quarterly reports, culminating in a final unduplicated client count on the applicant's final report.
 - b. Outcome: The applicant shall propose measurement tools by which effectiveness of the services may be determined, as well as utilize any provided by the Judiciary.
- 5. Experience
 - a. The Applicant must have demonstrated competence or qualifications to perform the required services.
 - b. The applicant must have a minimum of one (1) year of experience in the provision of substance abuse treatment services, or in the provision of Therapeutic Living Program and Sober Housing services for substance abuse clients. In the absence of such experience, the Applicant shall provide supporting evidence why the one (1) year requirement should be waived.
 - c. The applicant must have a minimum of one (1) year of experience in the provision of services to offenders. In the absence of such experience, the applicant will provide supporting evidence why the one (1) year requirement should be waived.
- 6. Coordination of service
 - a. Applicants shall describe their ability to collaborate with other appropriate services, including, but not limited to, health, mental health, social, educational, vocational rehabilitation and employment services.
 - b. Applicants intending to provide only part of the continuum of substance abuse treatment and other specified interventions shall also have and document appropriate linkages to the other required

services for FCDPCP clients.

7. Reporting requirements for program and fiscal data

- a. The applicant shall submit written quarterly and year-end reports summarizing output and outcome data, performance accomplishments, challenges, and actual expenditures. Quarterly reports are due 30 days after the end of the quarter. Final reports are due 45 days after the end of each fiscal year and/or at the end of the contract period, as applicable.
- b. Reports shall consist of a statement by the applicant relating to the work accomplished during the reporting period and shall include statements of the nature of the work performed, identification of persons served by the applicant during the reporting period, identification of any immediate problems encountered during the reporting period, and any recommendations deemed pertinent by the applicant, as well as a statement of what activities are proposed to be accomplished during the next reporting period. In addition to the written progress reports, the applicant, upon request, shall be required to meet with representatives of the Judiciary to discuss the progress of the work required.
- c. The applicant shall, at the completion of the contract period, submit a final written report to the Judiciary. The report shall include documentation of the applicant's overall effort towards meeting the program goals and objectives, to include information on the outcome(s) of quality improvement activities engaged in. Furthermore, the applicant shall furnish any additional reports or information that the Judiciary may from time to time require or request.
- d. Pursuant to HRS 601-21, the applicant shall comply with the requirements of the statewide substance abuse treatment monitoring program established under HRS 321-192.5. The Judiciary additionally requires that all programs which provide substance abuse treatment services, whether accredited or not accredited by ADAD, participate in the statewide data collection activities under the purview of ADAD unless otherwise specified by the Judiciary.

8. Pricing or pricing methodology to be used

The applicant shall submit a proposal based on a “Negotiated Unit of Service” and/or “Fixed Rate” pricing methodology.

9. Units of service and unit rate

- a. Applicant’s proposal shall be based on a “Negotiated Unit of Service “and/or “Fixed Rate” pricing methodology. However, applicant’s proposal should reference average expected lengths of treatment proposed in each category and provide fees for units of services as follows:

<u>Service Activity</u>	<u>Unit</u>	<u>Est. Slots/Year*</u>
Drug Testing	Per Test	35-90 tests/mon.
Assessments	Per Client	6-15 clients
Family/systems Based Intervention	Per Hour/Client	10-20 clients
Adult Substance Abuse Treatment		
1. Outpatient	Per Session/Client	5-15 clients
2. Intensive Outpatient	Per Session/Client	5-15 clients
3. Day Treatment	Per Day/Client	1-2 clients
4. Continuing Care	Per Session/Client	5-15 clients
5. Residential	Per Bed Day/Client	5-8 clients
6. Therapeutic Living	Per Bed Day/Client	5-10 clients
7. Sober Living	Per Bed Day/Client	5-15 clients
Domestic Violence Intervention	Per Session/Client	5-8 clients
Juvenile Substance Abuse Treatment		
1. Outpatient	Per Session/Client	5-15clients
2. Intensive Outpatient	Per Session/Client	5-15clients
3. Residential	Per Bed Day/Client	1-5 clients

The rate shall cover one hundred percent (100 %) of treatment service costs for the client and shall also include provision of all workbooks and curricula material necessary to administer treatment services.

*The numbers indicated here represent only estimated counts for each activity as actual utilization for a program servicing primarily voluntary admissions is difficult to anticipate.

10. Methods of compensation and payment

- a. The applicant shall provide monthly invoices. Information to be included shall be client's name, date of admission, date of discharge, reason for discharge, level of service provided and number of units provided with corresponding dates and service unit billed.
- b. The applicant shall maximize reimbursements of benefits for all levels of care through Hawaii Quest and Quest Net, the client's private insurance, the Department of Human Services or any other sources of payment made known to the applicant by the client for treatment, housing or subsistence. Payments to the applicant shall be

reduced by received third party payments.

2.18.5 Facilities

- A. Applicants shall provide a description of its facilities and its conduciveness to the treatment being provided.
- B. Applicants proposing to provide residential treatment and therapeutic living program services shall describe and include in the proposals the following:
 - 1. How security and client accountability will be achieved.
 - 2. A site map of the facility designating all program locations, the location of each dwelling for residential and or therapeutic living program, and the gender for each dwelling.
 - 3. A floor plan for each dwelling laying out each bedroom for clients and resident counselor(s), kitchen, dining area, living area, bathrooms and laundry area; the number of client beds per room; the number of resident counselor bed(s) per room and the maximum capacity for each dwelling.
 - 4. The number of beds licensed for residential and/or therapeutic living program services by the Office of Health Care Assurance (OHCA), Department of Health, State of Hawaii.

**2.19 SVC SPEC TITLE: Maui Drug Court Services, Second Circuit
DR2MDC - Adult Substance**

2.19.1 Introduction

A. & B. - (SEE SECTION 2.0.1)

C. Description of the goals of the service

To provide a continuum of adult substance abuse treatment services, delivered in the drug court treatment modality, to male and female felony offenders with drug and/or drug and alcohol related problems who are voluntarily participating in the Maui Drug Court (MDC) Program in the Second Circuit Court, State of Hawaii. The goal of this treatment and compliance monitoring is to provide offenders with the skills and knowledge to effectively deal with their use of drugs and/or drugs and alcohol in order to eliminate their recidivism to criminal behavior.

D. Description of the target population to be served

Non-violent adult men and women (ages 18 and older) with drug and/or drug and alcohol related problems who are facing charges, are charged with, or are on probation, parole or furlough for felony offense(s), voluntarily participating in the MDC Program in the Second Circuit Court, State of Hawaii. The approximate number of clients anticipated to be serviced on the island of Maui as specified by this RFP is a static client population of approximately sixty (60) to one hundred twenty (120) clients in each of the two State fiscal years covered by this RFP.

E. Geographic coverage of service

Second Circuit –Island of Maui

F. Probable funding amounts, source, and period of availability

Funding source: State general funds

Other potential funding sources: Federal funds, public and private grants.

Probable funding amounts:

<u>FY 2020</u>	<u>FY 2021</u>	<u>FY 2022</u>	<u>FY 2023</u>
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Period of availability: The Judiciary intends to award a multi-term contract. The aggregate term of the contract shall not exceed four (4) years, e.g., July 1, 2019 to June 30, 2023, subject to the appropriation and availability of funds and satisfactory contract performance. All State general funds are contingent on appropriation. Funds are available for only the initial term of the contract from July 1, 2019 to June 30, 2021.

NOTE: Funding amounts are not being stated at this time. Applicants should propose funding amounts in their proposals based on their best estimate of the cost of providing the services described in these specifications.

2.19.2 General Requirements

A. Specific qualifications or requirements, including but not limited to licensure or accreditation

1. The applicant shall have licenses and certificates, as applicable, in accordance with federal, state and county regulations, and comply with all applicable Hawaii Administrative Rules.
 - a. Residential programs, in accordance with Title 11, Chapter 98, Special Treatment Facility, must have a Special Treatment Facility license at the time of application and abide by applicable administrative rules governing accreditation of substance abuse treatment programs.
 - b. Unless otherwise specified in this RFP, therapeutic living programs must meet the Department of Health, Alcohol and Drug Abuse Division's (ADAD) Therapeutic Living Program Requirements for Substance Abuse Treatment Services until applicable administrative and licensing rules are implemented by the Department of Health. Upon implementation of duly authorized administrative and licensing rules, programs must comply accordingly.
 - c. Sober Housing must meet applicable state and county codes, standards and zoning requirements.
 - d. All applicants shall comply with Title 11, Chapter 175, Mental Health and Substance Abuse System.
 - e. The proposed service must meet all required state licensing or certification standards, provide assurances of fair hearing and grievance procedures for clientele, civil rights compliance, information safeguarding practices, and provide proof of insurance coverages and identification as applicable.
2. The applicant must have an accounting system, with acceptable accounting practices and standards.

3. The applicant shall submit in a timely manner upon request by the Judiciary, any additional information needed by the Judiciary to make a decision on the applicant's proposal. The Judiciary may request an oral discussion or presentation in support of the proposal. On-site visits may be made.
4. The applicant shall comply with the Chapter 103F, HRS Cost Principles for Purchases of Health and Human Services identified in SPO-H-201 (Effective 10/01/98), which can be found on the SPO website (See Section Five, Proposal Application Checklist, for the website address).

B. Secondary purchaser participation
(Refer to §3-143-608, HAR)

After-the-fact secondary purchases will be allowed.

C. Multiple or alternate proposals
(Refer to §3-143-605, HAR)

☐ Allowed ☒ Unallowed

D. Single or multiple contracts to be awarded
(Refer to §3-143-206, HAR)

☐ Single ☐ Multiple ☒ Single & Multiple

Multiple contracts may be awarded if such awards are deemed to be in the best interest of the Judiciary, and will be based on the highest ranked proposals.

E. Single or multi-term contracts to be awarded
(Refer to §3-149-302, HAR)

☐ Single term (< 2 yrs.) ☒ Multi-term (> 2 yrs.)

A multi-term contract will be awarded based on a determination that it is in the best interest of the Judiciary. The initial term of the contract shall be for two (2) years, from July 1, 2019 to June 30, 2021. Funds are available for only the initial term of the contract. The contract may be extended for another two (2) years, subject to appropriation and availability of funds and satisfactory performance of services by provider. Execution of a contract amendment is required to extend the contract for another term. The aggregate term of the contract shall not exceed four (4) years, e.g., July 1, 2019 to June 30, 2023. If it is determined that it is not in the best interest of the Judiciary to award a multi-term contract, a single-term contract will be awarded.

F. RFP contact persons

The individuals listed below are the points of contact from the date of release of this RFP until the selection of the winning provider or providers. Written questions should be submitted to the RFP contact person(s) and received on or before the day and time specified in Section 1.1 (Procurement Timetable) of this RFP.

If you have any technical questions regarding the RFP process, please call the following individual:

Tritia Cruz, Contracts and Purchasing Office

Phone: (808) 538-5805

Fax: (808) 538-5802

Email: Tritia.L.Cruz@courts.hawaii.gov

If you have any programmatic questions regarding the requested services, please call the following individual:

David K. Ortiz, Program Specialist, Second Circuit

Phone: (808) 244-2792

Fax: (808) 244-2870

Email: David.K.Ortiz@courts.hawaii.gov

2.19.3. Scope of Work

Applicants may propose to provide the whole continuum of services or only a part of the continuum, i.e. In-Custody Substance Abuse/Chemical Dependency Services, In-Community Substance Abuse/Chemical Dependency Services, Residential Substance Abuse/Chemical Dependency Services. Applicants must clearly state the specific service activities they are proposing to provide.

NOTE: Proposals will be evaluated by service activity according to Section Four of this RFP and will be scored and ranked separately within the following categories: In-Custody Substance Abuse/Chemical Dependency Services, In-Community Substance Abuse/Chemical Dependency Services, and Residential Substance Abuse/Chemical Dependency Services.

The scope of work encompasses the following tasks and responsibilities:

A. Service Activities (Minimum and/or mandatory tasks and responsibilities)

To provide a continuum of evidence-based, offender-oriented substance abuse treatment services, delivered in the drug court treatment modality, to adult male and female felony offenders with drug and/or drug and alcohol related problems who are voluntarily participating in the MDC Program in the Second Circuit Court, State of Hawaii. Gender specific curriculum should also be incorporated

that addresses trauma informed care practices. As detailed below, services to be available for clients shall include assessment and substance abuse/chemical dependency treatment while incarcerated and in the community, Residential Substance Abuse/Chemical Dependency Treatment, Therapeutic Living Programs, and Sober Housing as needed.

Treatment services should incorporate supportive services including but not limited to the following areas: relationships, parenting, life skills, effective communication, and community resources.

Modifications to requirements for service delivery may be negotiated between the Judiciary and the selected provider(s) in response to changes in program needs during the contract period.

1. **In-Custody Substance Abuse/Chemical Dependency Services:** Through a collaboration between the Judiciary-MDC and the Department of Public Safety-Maui Community Correctional Center (MCCC), substance abuse treatment/chemical dependency services are to be provided to MDC referred participants while incarcerated at the MCCC. These participants have completed a program screening and have been set to be admitted to the MDC. The MDC In-Custody Treatment Program (ICTP) is an approximate ninety (90) day program intended to provide substance abuse/chemical dependency treatment for inmates from Maui, Molokai or Lanai who are incarcerated at MCCC and who have been assessed and admitted to the MDC. Participants are housed separately from the general population of MCCC inmates in two dorms: Dorm 3 houses up to twenty (20) males and Dorm 5 has a capacity of up to twelve (12) beds for women.

The partner agencies in this collaborative effort shall provide oversight and direction with regard to the service delivery of the MDC ICTP, including curricula, methodology of the treatment/services provided, case management, and other program activities. Further, the partner agencies shall review and approve the appropriateness of the service delivery prior to program implementation. Service delivery for the MDC ITCP shall be provided as follows:

- a. **Program Structure:** A minimum of twenty-one (21) hours of face-to-face activities per week shall be provided, which includes at least one (1) hour of individual counseling to be conducted with each client. Applicants shall provide a detailed description of the model(s) to be used within a ninety (90) day program, including the philosophical basis for treatment, and for dealing with incarcerated inmates who have a history of substance abuse/chemical dependency. Program components are as follows:

1) **Assessments:** Comprehensive substance abuse assessments shall be provided to those applicants who have been accepted by the MDC for assessment and admission to the program. Assessments shall be conducted or reviewed/approved by those with a current State of Hawaii, Substance Abuse Counselor Certificate. Assessments shall consist of gathering relevant history from the client, including but not limited to, alcohol and other drug abuse using appropriate interview techniques. Provider will obtain corroborative information from significant secondary sources regarding client's alcohol and other drug abuse and psycho-social history. Provider shall identify the appropriate assessment tools to be used and explain to the client the rationale for the use of assessment techniques in order to facilitate understanding. Assessments shall include developing a diagnostic evaluation of the client's substance abuse and any coexisting conditions based on the results of all assessments utilizing the American Society of Addiction Medicine (ASAM) criteria, and the Diagnostic Statistical Manual of Mental Disorders (DSM IV) in order to provide an integrated approach to treatment planning based on the client's strengths, weaknesses, and identified problems and needs.

2) **Group and Individual Counseling:** Initial and updated treatment planning, crisis intervention, individual and group counseling, substance abuse education, and skill building groups shall be provided. For each client, ongoing evaluation of treatment progress shall be provided which includes an assessment of the client's readiness for continued participation in the MDC Program.

MDC clients who are re-housed at the facility from the community and placed into the general population will receive one (1) hour per week of individual counseling to maintain treatment services.

3) **Drug Testing:** Random and observed urinalysis shall be administered throughout the duration of the program at a minimum of twice monthly per client and as needed.

4) **Collaboration with Partners:** Open and consistent communication shall be maintained between the prospective provider and the partner agencies based on a commonality of goals in the spirit of mutual support and collaboration.

2. **In-Community Substance Abuse/ Chemical Dependency Services:** In-community substance abuse/chemical dependency services shall consist of the following services (defined below) to be delivered in the drug court treatment modality to clients in an approximate 15-month drug court program. **(Please refer to Table of Recommended Minimum Services Per Week For In-Community Substance Abuse/Chemical Dependency Services as a guideline for service provision.)** Applicants shall provide a detailed description of the model to be used within a drug court program, including the philosophical basis for treatment and for dealing with criminal offenders with a history of substance abuse/chemical dependency. Curriculum used will be based on best practice standards demonstrating evidence based support.

The curriculum may be modified during the contract period with written approval and review by the MDC Administrator.

- a. **Program Structure:** Applicants must have the capability to complete assessments, provide initial and updated treatment planning, crisis intervention, individual and group counseling, substance abuse education, skill building groups. Group size shall not exceed thirty (30) participants for each session provided and the maximum facilitator to client ratio shall be 1:15 unless otherwise specified by the MDC. For each client, ongoing evaluation of treatment progress shall be provided which includes a regular review of the appropriateness of the level of care being provided to the client. Programs shall develop and implement appropriate transition plans for each client in the final phases of treatment and prior to entry into continuing care. The plan shall address transition and recovery issues and relapse/recidivism prevention. Program components are as follows:

- 1) **Comprehensive substance abuse assessments** shall be provided to those applicants who have been accepted by the MDC for assessment and admission to the program. Assessments shall be conducted or reviewed/approved by those with a current State of Hawaii, Substance Abuse Counselor Certificate. Assessments shall consist of gathering relevant history from the client, including but not limited to, alcohol and other drug abuse using appropriate interview techniques. Provider will obtain corroborative information from significant secondary sources regarding client's alcohol and other drug abuse and psycho-social history. Provider shall identify the appropriate assessment tools to be used and explain to the client the rationale for the use of assessment techniques in order to facilitate

understanding. Assessments shall include developing a diagnostic evaluation of the client's substance abuse and any coexisting conditions based on the results of all assessments utilizing the American Society of Addiction Medicine (ASAM) criteria, and the Diagnostic Statistical Manual of Mental Disorders (DSM IV) in order to provide an integrated approach to treatment planning based on the client's strengths, weaknesses, and identified problems and needs.

- 2) **Intensive Outpatient Treatment (Phase A):** Provides non- residential specialized intensive services on a scheduled basis for individuals with substance abuse problems. Group treatment services shall operate for a minimum of two (2) hours per day for four (4) days per week. Services may include individual and group counseling, medication management, family therapy, educational groups, occupational and recreational therapy, and other therapies. Professionally directed evaluation, treatment, and recovery services shall be provided, for a minimum of nine (9) hours per client per week of face-to-face treatment, including at least one (1) hour per week of individual counseling.
- 3) **Outpatient Treatment (Phase B):** Provides non-residential comprehensive specialized services on a scheduled basis for individuals with substance abuse/chemical dependency issues. Professionally directed evaluation, treatment, and recovery services shall be provided to clients appropriate for a lower level of substance abuse/chemical dependency related service. Treatment in this phase shall be for two (2) two (2) hour and one (1) one and one-half (1.5) hour of group counseling sessions per client per week and one (1) hour of individual counseling per client every two (2) weeks.
- 4) **Continuing Care (Phase C):** Provides non-residential services to individuals with substance abuse/chemical dependency issues that are ready to transition to a lower level of services. Treatment in this phase shall be for one (1) two and one-half (2.5) hour of group counseling sessions per client per week and one (1) one (1) hour of individual counseling per client every two (2) weeks.

- 5) **Drug Testing:** Applicants must have the capability to provide frequent drug and alcohol testing. Drug testing shall include random and observed breath, urine, and hair analysis for all active MDC clients who are receiving or who have received treatment from the selected provider for In-Community Substance Abuse/Chemical Dependency Services as specified in this RFP.
- 6) **Friends and Family Groups:** Psycho-educational sessions shall be provided for all MDC referred program participant friends/families and for all MDC clients who are currently in Phases A - C. Sessions shall be focused on educational curricula to assist the participant in the group an understanding of substance abuse issues. Applicant must provide detailed description of proposed curriculum for the group.

3. **Residential Substance Abuse Services**

- a. **Residential:** Provides a planned regimen of professionally directed evaluation, treatment, case management, and other ancillary and special services. Observation, monitoring and treatment are available 24 hours a day, seven days a week. A minimum of twenty-four (24) hours per week of face-to-face treatment shall be provided, including a minimum of one (1) hour per week of individual counseling to be scheduled with each client. Programs shall develop and implement appropriate transition plans for each client in the final phases of treatment. The plan shall address transition and recovery issues and relapse/recidivism prevention.
- b. **Therapeutic Living:** Provides a less structured residential setting than that of a special treatment facility for those persons recovering from substance abuse. The program shall aid residents in meeting basic needs and provide supportive services through an individualized recovery and discharge plan. The categories of Therapeutic Living Programs are as follows:
 - 1) **Transitional Living Programs for Adults**
These programs provide residential living to residents who are currently receiving substance abuse treatment in a day or outpatient program or have been clinically discharged from treatment yet still are in need of supervision and a clean and sober living environment. All residents in the same transitional residential living program house shall be

adults of the same gender. At a minimum, one direct services staff member with a current first aid certificate and CPR training shall be present in the program when residents are present. For non-therapeutic program hours, the program shall have sufficient staff, as approved by the department, to ensure the safety, health, and delivery of the services. A minimum of fifteen (15) hours per week of face-to-face supportive psycho-social services shall be provided to each resident each week.

2) **Transitional Living Programs for Parents with Children**

These programs provide residential living services to residents who are currently receiving substance abuse treatment in a day or outpatient program, or who have been clinically discharged from treatment yet still need supervision and a clean and sober living environment. All residents in the program shall be pregnant women or women with child(ren) or men with child(ren). All adults in the same transitional residential living program house shall be of the same gender. Staff shall be onsite twenty-four (24) hours per day, seven (7) days per week. For non-therapeutic program hours, the program shall have sufficient staff, as approved by the Department of Health, to ensure the safety, health, and delivery of services. A minimum of fifteen (15) hours per week of face-to-face supportive psycho-social services shall be provided to each resident each week.

3) **Semi-supervised, independent but structured living arrangements for adults**

These programs provide a structured living arrangement for adults who need minimum professional or paraprofessional support in order to live in the community and avoid deterioration in functioning and a more restrictive level of care. Staff must be on site a minimum of twelve (12) hours per day, and on call for twenty-four (24) hours per day, seven (7) days per week. At a minimum, one staff member shall be available for every fifteen (15) residents. All residents in the housing unit shall be adults of the same gender.

Further requirements are:

- a) At least ten (10) hours a week of case management shall be provided to assist residents in independent living skills.

- b) The program shall maintain scheduled services to facilitate accessibility to and attendance at employment, self-help groups, counseling, and vocational counseling.
- c) The program shall provide or arrange for educational services appropriate to the level of functioning and comprehension of the resident.
- d) The program shall provide residents with information about community resources and assist them in accessing those resources.
- e) The program shall facilitate peer group support and provide supervision in daily living skills and work.

- c. **Sober Housing:** Sober housing shall provide a sober living environment as part of transitional planning for recovering individuals who generally have completed appropriate substance abuse treatment services and who require a supportive, alcohol and drug-free residence that will reinforce sober and responsible behavior. Residents do not require twenty- four (24) hour supervision, rehabilitation, therapeutic services, or home care. Sober houses may be democratically managed and self-supporting, with limited, short-term Judiciary funding provided for eligible clients' rental fees and/or other program operations.

In its proposal, the applicant shall include its policies and procedures regarding the provision of Sober Housing. At a minimum, the policies and procedures must specify that residents may not possess or consume alcohol, illegal drugs, or non-medically prescribed medication on or off the premises.

- d. **Drug Testing:** Random and observed breath and urine testing shall be administered in all residential programs described above with the exception of sober housing.

**TABLE OF RECOMMENDED
MINIMUM SERVICES PER
WEEK FOR IN-COMMUNITY
SUBSTANCE
ABUSE/CHEMICAL
DEPENDENCY SERVICES**

PHASE A

"Intensive Outpatient"
(12 weeks minimum)

**Individual
Counseling**

1 session
(1.0 hr.)

**Group
Counseling**

4 sessions
(2.0 hrs. each)

**Alcohol and/or
Urinalysis**

3

**APPROXIMATE
TOTAL HOURS
PER WEEK**

9.0

PHASE B “Outpatient Treatment” (14 weeks minimum)	1 session (1.0 hr.)	2 sessions (2 hrs. each) 1 session (1.5 hrs. each)	2	6.5
PHASE C “Outpatient Treatment” (10 weeks minimum)	1 session (1.0 hr.)	1 session (2.5 hrs. each)	1	3.5

Note:

- Phase durations are approximate.
- Individual sessions may be with the individual client alone and/or with the individual client and his/her family/support members.
- In addition to above service provision, applicant must also provide family group psycho-educational counseling services as indicated in Section 2.4.3.A.2.(5) to all MDC referred program participant friends/families and those MDC clients that have completed Phases A-C.
- Drug testing services shall be provided for all clients who are receiving or who have received treatment from the applicant.
- A maximum of three (3) drug hair testings shall also be administered per client.
- Matrix of services may be modified as needed.

Other Requirements Relating to Service Activities:

4. For service activities requiring drug testing, the testing materials, training and monitoring of service quality shall be provided by the applicant. The applicant shall provide their written policies and procedures for such testing and shall describe the frequency and application of testing in treatment. Collection shall be random with gender-specific observation. The applicant shall insure that chain of custody and confidentiality issues are addressed appropriately. The applicant shall identify instrumentation being utilized to conduct such testing and shall have the ability to do laboratory confirmation testing utilizing Gas Chromatography Mass Spectrometry or Liquid Chromatography Tandem Mass Spectrometry. Laboratories conducting such confirmation testing shall be Substance Abuse and Mental Health Services Administration and/or possess College of Addiction Pathologists – Forensic Urine Drug Testing certified. Confirmation testing at Limit of Quantitation levels is preferred.

Additional consideration shall be given to applicants with the capability of administering drug testing through a variety of methodologies. The applicant's proposal shall clearly identify the drug testing methodologies to be utilized and the reason for the selection of the specific methodologies, including all supportive information.

5. Applicants proposing to provide substance abuse/chemical dependency treatment services shall have the capability to provide treatment that is comprised of individual and group counseling coupled with psycho-educational training which addresses drug and alcohol education, understanding criminal behavior, anger and stress management, social and lifestyle skills development and relapse/recidivism prevention. Offenders will be trained in treatment sessions to identify antisocial thinking, attitudes, behaviors and beliefs; to recognize high-risk situations, places and people surrounding AOD use; and practice how to deal with them in a pro-social manner. Treatment shall take into consideration the psycho-social needs of the client, shall be cognitive and behavioral in approach and shall incorporate a cognitive-behavioral curriculum that addresses the interaction of criminal thinking and substance abuse/chemical dependency using a group treatment format.
6. Applicants proposing to provide substance abuse/chemical dependency treatment services shall delineate the following in their applications:
 - a. Identification of target group(s) to be serviced by the Applicant, including any applicable admissions eligibility or exclusionary criteria.

- b. Identification and brief description of the distinguishing highlights for the evidence-based treatment model(s) to be used.
- c. Justification for the selection of the evidence-based treatment model(s).
- d. For Residential and Day treatment programs, the nature and amount of time the client will be involved in structured activities per week.
- e. (1) Identification of assessment instrument(s) to be used; (2) the purpose of the instruments; and (3) how the instruments will be implemented.
- f. Identification of training(s) to be provided to staff; the frequency of the training(s); and, supervisory oversight for quality assurance.
- g. Identification, description and references for the curriculum to be used.
- h. Identification of the program targets for change.
- i. Identification of the program's completion criteria for the clinical discharge of the client.
- j. Identification of the program's termination or discharge criteria.
- k. Identification and description of a quality assurance program that involves client care and the delivery of services, the personnel who will implement the evaluation and review, and the procedures for corrective actions for problems identified.

(For those proposing to provide more than one modality of care, please describe how responses to the above listed items will differ, as applicable, across the continuum.)

- 7. Clients in any level of treatment shall meet the most current version of the American Society for Addiction Medicine Patient Placement Criteria (ASAM-PPC 2R) for admission, continuance and discharge.
- 8. Experience working with drug courts or in providing treatment and/or other appropriate services to criminal justice clients is preferred.

9. Additional consideration shall be given to applicants with the capability to provide the following services:
 - Psychological/Psychiatric Evaluations
 - Support Services for Dually Diagnosed
 - Medication Monitoring
10. Frequent status reporting to the drug court (in writing and in person) is also required. For example, written progress reports on each client's performance (e.g., drug testing results, counseling and meeting attendance, etc.) and recommended action must be provided prior to every drug court hearing; also, the provider is required to participate in weekly meetings with the judge and other members of the MDC Team to discuss all clients on the calendar for the next drug court hearing, any offenders applying for admission, any offenders to be invited for admission, and any other issues. Additionally, the provider must provide frequently updated statistics, including narratives, graphs and charts, on client demographics (e.g., age, race, drug of choice, drug use onset, prior treatment, prior convictions, pending offenses, employment, housing, etc.) and program outcomes (e.g., drug testing results, sanctions imposed, etc.)
11. Applicants will demonstrate compliance with the State Department of Health, ADAD rules and regulations for the provision of treatment.

NOTE: Because ADAD may not have promulgated rules and regulations with respect to the provision of the services requested in this RFP, the evaluation of any applicant's conformity to this RFP may consider definitional information and description of services set forth in ADAD RFP Number HTH 440-08-1 for Substance Abuse Treatment Services.

B. Management Requirements (Minimum and/or mandatory requirements)

1. Personnel

- a. The applicant shall possess and document knowledge, capacity, skills and experience in working with the targeted population. Applicants shall provide its minimum qualifications for program director(s). Program director is defined as the person responsible for the overall management of the treatment program(s). Applicant shall provide educational backgrounds and experience of any current program director(s).

At a minimum, applicants shall ensure that clinical supervision over treatment activities is provided by certified substance abuse counselors (CSAC) or program administrators certified pursuant to

Section 321-193 (10), Hawaii Revised Statutes; or hold an advanced degree in behavioral health science, with at least one year experience working in the field of substance abuse addiction.

CSACs and individuals who hold an advanced degree in behavioral health services preferably shall perform clinical evaluation, treatment planning and individual, group and family counseling; however, non CSACs or non-master's level providers may be utilized as long as they are directly supervised by a CSAC or master's level counselor, and are working toward certification.

Facilitators of the family psycho-educational groups at minimum shall hold a Bachelor's degree and/or CSAC with experience in group facilitation and familiarity of substance abuse issues.

Applicants shall describe its program for increasing clinical staff competencies in the acquisition of evidence-based, offender-oriented treatment. At a minimum, applicants shall demonstrate how direct care staff will be assisted in understanding and applying the risk-need-responsivity principles in their treatment of offenders, as well as the stages of change, motivating the client toward change and behavioral treatment.

- b. For those service activities requiring drug testing of both female and male clients, staffing of substance abuse counselor positions shall be representative of both the female and male gender unless otherwise agreed upon by the applicant and the MDC.
- c. Therapeutic Living Program service activities shall be provided by staff knowledgeable in substance abuse problems and experience in case management.
- d. The applicant shall conduct a State and Federal fingerprint- based criminal history record check for any person, including, but not limited to any officer, employee, volunteer or subcontractor, who performs work or services which necessitates close proximity to or unsupervised access to vulnerable clients such as children, disabled, and/or the elderly , or other program related vulnerable clients . In addition, the applicant will conduct a search of the State and National Sex Offender Registries, <http://sexoffenders.ehawaii.gov> (State Sex Offender Registry) and the www.nsopr.gov (National Sex Offender Public Registry). The minimum record check will be conducted once every four years for each person, and/or at the outset of the contract period if such checks have never been

conducted. Further, the applicant will ensure the continued suitability of any officer, employee, volunteer or subcontractor to work or provide services to vulnerable clients. Results of all criminal history record inquiries conducted shall be placed in the employee's or volunteer's personnel file and shall be available to Judiciary for review. The applicant further shall have a written plan for addressing any findings that result from a criminal history record check that may affect the treatment milieu (e.g. actively under the supervision of any criminal justice agency, convicted sex offenders). Prior to commencing any work or services on the contract, the applicant shall ensure that any officer, employee, volunteer or subcontractor is suitable to be performing work or services in close proximity to or with unsupervised access to children, disabled, and/or elderly clients will be of reputable and responsible character and will not pose a risk to the health, safety, security, or well-being of clients, staff and the general public.

- e. The applicant shall submit an agency organizational chart which includes and identifies all programs that the agency/applicant oversees/administers, inclusive of subcontractors and consultants.
- f. The applicant shall conduct Child Protective Services central registry checks on any administrative and program staff and volunteers working in positions which necessitate close proximity to children or adolescents.
- g. The applicant shall have on the premises at least one person currently certified in First Aid and CPR except for sober housing services.
- h. The Applicant shall maintain documentation for each employee of an initial and annual tuberculosis (TB) skin test or chest X-ray.
- i. The staff and volunteers, if used by the applicant, shall be under the supervision of the program director or his or her designee and shall, accordingly, be trained in client confidentiality issues and program quality assurance requirements.
- j. The applicant must have sufficient and relevant staff training and development. All direct service staff shall have training in and be familiar with current procedures and practices, intake, admission, and referral of residents.

- k. The applicant shall ensure that staff receive appropriate supervision including clinical supervision and administrative direction.

2. Administrative

- a. The applicant shall establish and implement policies and procedures which clearly identify the target population for each type of service, the program content, and methods of service delivery.
- b. Court appearances and/or testimony shall be provided as needed.

3. Quality assurance and evaluation specifications

- a. The applicant shall have a quality assurance plan which identifies the mission of the organization, what services will be provided, how they are delivered, who is qualified to deliver the services, who is eligible to receive the services, and what standards are used to assess or evaluate the quality and utilization of services.
- b. Program evaluation should reflect the documentation of the achievement of the stated goals, using tools and measures consistent with the professional standards of the disciplines involved in the delivery of services.
- c. Applicants shall agree, by contract, to be willing to undergo a program assessment and/or audit designed to assess applicant's implementation of effective practices in working with offenders with substance use problems. Based on the assessment/audit report, the vendor will develop in concert with the contracting agency, an action plan to address areas which need improvement. There should be at least one quality improvement activity completed annually.
- d. Applicants shall provide all program monitoring, assessments and/or evaluation reports completed within the last two years.

4. Output and performance/outcome measurements

- a. Output: The Applicant shall record unduplicated clients served. The unduplicated client count shall be recorded in the Applicant's quarterly reports and aggregated Year-End Report.
- b. Outcome: The applicant shall propose measurement tools by which effectiveness of the services may be determined, as well as utilize any which may be developed and utilized by the Judiciary.

5. Experience

- a. The Applicant must have demonstrated competence or qualifications to perform the required services.
- b. The applicant must have a minimum of one (1) year of experience in the provision of substance abuse treatment services, or in the provision of Therapeutic Living Program and Sober Housing services for substance abuse clients. In the absence of such experience, the Applicant shall provide supporting evidence why the one (1) year requirement should be waived.
- c. The applicant must have a minimum of one (1) year of experience in the provision of services to offenders. In the absence of such experience, the applicant will provide supporting evidence why the one (1) year requirement should be waived.

6. Coordination of service

- a. Applicants shall describe their ability to collaborate with other appropriate services, including, but not limited to, health, mental health, social, educational, vocational rehabilitation and employment services.
- b. Applicants intending to provide only part of the continuum shall also have and document appropriate linkages to other services in the continuum.
- c. Applicants shall attach letters of collaboration with other community providers to offer a holistic treatment approach to clients participating in MDC services.

7. Reporting requirements for program and fiscal data

- a. The applicant shall submit written quarterly and year-end reports summarizing output and outcome data, performance accomplishments, challenges, and actual expenditures. Quarterly reports are due 30 days after the end of the quarter. Final reports are due 45 days after the end of each fiscal year and/or at the end of the contract period, as applicable.
- b. Reports shall consist of a statement by the applicant relating to the work accomplished during the reporting period and shall include statements of the nature of the work performed, identification of

persons served by the applicant during the reporting period, identification of any immediate problems encountered during the reporting period, and any recommendations deemed pertinent by the applicant, as well as a statement of what activities are proposed to be accomplished during the next reporting period. In addition to the written progress reports, the applicant, upon request, shall be required to meet with representatives of the Judiciary to discuss the progress of the work required.

- c. Pursuant to HRS 601-21, the applicant shall comply with the requirements of the statewide substance abuse treatment monitoring program established under HRS 321-192.5. The Judiciary additionally requires that all programs which provide substance abuse treatment services, whether accredited or not accredited by ADAD, participate in the statewide data collection activities under the purview of ADAD.
- d. The applicant shall, at the completion of the contract period, submit a final written report to the Judiciary. The report shall include documentation of the applicant's overall effort towards meeting the program goals and objectives, to include information on the outcome(s) of quality improvement activities engaged in. Furthermore, the applicant shall furnish any additional reports or information that the Judiciary may from time to time require or request.

8. Pricing or pricing methodology to be used

The applicant may submit a proposal based on a "Negotiated Unit of Service" pricing methodology and/or a "Fixed Price" pricing methodology, as further described in SECTION THREE of this RFP.

9. Units of service and unit rate

- a. Applicant's proposal shall be based on a "Negotiated Unit of Service" and/or "Fixed Rate" pricing methodology. For either pricing methodology proposed, applicant's proposal should reference average expected lengths of treatment proposed in each category and provide fees for units of services as follows:

Service Activity:**Unit of Service:****In-Custody Services:**

Assessments	Per Assessment
Individual Counseling	Per Hour/Session
Group Counseling	Per Hour/Session

In Community Services:

Assessments	Per Assessment
Intensive Outpatient	Per Hour/Session
Outpatient	Per Hour/Session
Family Group	Per Hour/Session

Residential Services:

Residential	Per Bed Day
Therapeutic Living	Per Bed Day
Sober Housing	Per Bed Day

The rate shall cover one hundred percent (100%) of treatment and housing (as applicable) costs for the client and shall also include provision of all workbooks and curricula material necessary to administer treatment services.

10. Methods of compensation and payment

- a. The applicant shall provide monthly invoices. Information to be included shall be client's name, date of admission, date of discharge, reason for discharge, level of service provided and number of units provided with corresponding dates and service unit billed.
- b. The applicant shall maximize reimbursements of benefits for all levels of care through Hawaii Quest and Quest Net, the client's private insurance, the Department of Human Services or any other sources of payment made known to the applicant by the client for treatment, housing or subsistence. Payments to the applicant shall be reduced by received third party payments.

2.15.4. Facilities

- A. Applicants shall provide a description of its facilities and its conduciveness to the treatment being provided.
- B. Applicants proposing to provide Residential Treatment, Therapeutic Living, and Sober Housing services shall describe and include in the proposal the following:
 - 1. How security and client accountability will be achieved.
 - 2. A site map of the facility designating all program locations, the location of each dwelling for residential, therapeutic living programs, and sober housing, and the gender for each dwelling.
 - 3. A floor plan for each dwelling laying out each bedroom for clients and resident counselor(s), kitchen, dining area, living area, bathrooms and laundry area; the number of client beds per room; the number of resident counselor bed(s) per room and the maximum capacity for each dwelling.
 - 4. The number of beds licensed for residential and/or Therapeutic Living Program services by the Office of Health Care Assurance (OHCA), Department of Health, State of Hawaii.

**2.20 SVC SPEC TITLE: Juvenile Drug Court, Third Circuit
DR3JRS - Juvenile Residential Services**

2.20.1 Introduction

A. & B. - (SEE SECTION 2.0.1)

C. Description of the goals of the service

The goal of this service is to provide a safe, nurturing environment for juveniles who have been ordered by Drug Court of the Third Circuit and/or referred to participate in a residential program. Programs should provide clients with a safe, clean, supportive, well supervised environment in which minors can develop the tools and skills needed to function in society as young adults. Services should also be reflective of the court's balanced and restorative justice philosophy. The goals of balanced and restorative justice are accountability, competency development, and public safety.

D. Description of the target population to be served

Male and female Juvenile Drug Court participants between the ages of 14 to 17 years who are adjudicated as a law violator.

E. Geographic coverage of service

Third Circuit - West Hawaii, East Hawaii or Island of Hawaii

F. Probable funding amounts, source, and period of availability

Probable funding amounts:

<u>FY 2020</u>	<u>FY 2021</u>	<u>FY 2022</u>	<u>FY 2023</u>
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Funding amounts are not being stated at this time. Applicants should propose funding amounts in their proposals based on their best estimate of the cost of providing the services described in these specifications.

Funding source: State General Fund

Period of availability: The Judiciary intends to award a multi-term contract. The aggregate term of the contract shall not exceed four (4) years, e.g., July 1, 2019, to June 30, 2023, subject to the appropriation and availability of funds and satisfactory contract performance. Funds are available for only the initial term of the contract.

2.20.2 General Requirements

A. Specific qualifications or requirements, including but not limited to licensure or accreditation

1. The applicant shall have licenses and certificates, as applicable, in accordance with federal, state and county regulations, and comply with all applicable Hawaii Administrative Rules.
2. The applicant must have demonstrated its competence or qualifications to perform the required services and shall have a minimum one year experience in the provision of services.
3. The applicant must have an accounting system, with acceptable accounting practices and standards.
4. The proposed service must meet all required state licensing or certification standards and provide assurances of fair hearing and grievance procedures for clientele, civil rights compliance, information safeguarding practices, and proof of insurance coverages as applicable.
5. The applicant shall submit in a timely manner upon request by the Judiciary, any additional information needed by the Judiciary to make a decision on the applicant's proposal. The Judiciary may request an oral discussion or presentation in support of the proposal. On-site visits may be made.
6. The applicant shall comply with the Chapter 103F, HRS Cost Principles for Purchases of Health and Human Services identified in SPO-H-201 (Effective 10/01/98), which can be found on the SPO website (see Section 5, POS Application Checklist, for the website address).

B. Secondary purchaser participation

(Refer to §3-143-608, HAR)

After-the-fact secondary purchases will be allowed.

C. Multiple or alternate proposals

(Refer to §3-143-605, HAR)

☐ Allowed ☒ Unallowed

D. Single or multiple contracts to be awarded

(Refer to §3-143-206, HAR)

☐ Single ☐ Multiple ☒ Single & Multiple

Multiple contracts may be awarded if such awards are deemed to be in the best interests of the Judiciary and will be based on the highest ranked proposals.

E. Single or multi-term contracts to be awarded

(Refer to §3-149-302, HAR)

[] Single term (< 2 yrs) [X] Multi-term (> 2 yrs.)

A multi-term contract will be awarded based on a determination that it is in the best interest of the Judiciary. The initial term of the contract shall be for two (2) years. Funds are available for only the initial term of the contract. The contract may be extended for another two (2) years, subject to appropriation and availability of funds and satisfactory performance of services by provider. Execution of a contract amendment is required to extend the contract for another term. The aggregate term of the contract shall not exceed four (4) years, e.g., July 1, 2019, to June 30, 2023. If it is determined that it is not in the best interest of the Judiciary to award a multi-term contract, a single-term contract will be awarded.

F. RFP contact persons

The individuals listed below are the points of contact from the date of release of this RFP until the selection of the winning provider or providers. Written questions should be submitted to the RFP contact person(s) and received on or before the day and time specified in Section 1.1 (Procurement Timetable) of this RFP.

If you have any technical questions regarding the requested services, please call the following individual:

Judiciary Contracts & Purchasing Office
Tritia Cruz
Phone: (808) 538-5805 fax: (808) 538-5802
Tritia.L.Cruz@courts.hawaii.gov

If you have any programmatic questions regarding the requested services, please call the following individual:

Hawaii: Family Court, Third Circuit
Aolani Mills, Program Specialist
Phone: (808) 322-8726 fax: (808) 322-8701
Aolani.M.Mills@courts.hawaii.gov

Third Circuit Court
Grayson Hashida, Drug Court Coordinator
Phone: (808) 443-2201 fax: (808) 443-2222
Grayson.K.Hashida@courts.hawaii.gov

2.20.3 Scope of Work

The scope of work encompasses the following tasks and responsibilities:

A. Service Activities (Minimum and/or mandatory tasks and responsibilities)

Services are being requested for a residential facility for youth who require a safe, monitored, and structured living environment.

Specific needs include but are not limited to:

1. Services for adjudicated minors who require residential placement with minimal supervision. Services are to include psycho-social assessment and evaluation, psycho-education training to counseling and training designed to prepare the older adolescent for self-sufficiency and independence, survival skills, personal skills, recreational activities, transportation, basic household and money management, employment, and related skills.
2. Services for adjudicated minors who require a highly structured residential placement to address chronic emotional and behavioral problems. Services are to include counseling and interventions to improve or enhance social, personal, or problem solving skills, counseling and interventions to increase self-discipline, responsibility and self control.

Applicants may submit proposals to do one or all of the above services.

B. Management Requirements (Minimum and/or mandatory requirements)

1. Personnel

- a. The applicant shall possess and document knowledge, capacity, skills, and experience in working with the targeted population.
- b. The applicant shall conduct a State and Federal fingerprint- based criminal history record check for any person, including, but not limited to any officer, employee, volunteer or subcontractor, who performs work or services which necessitates close proximity to or unsupervised access to vulnerable clients such as children, disabled, and/or the elderly , or other program related vulnerable clients . In addition, the applicant will conduct a search of the State and National Sex Offender Registries, <http://sexoffenders.ehawaii.gov> (State Sex Offender Registry) and the www.nsopr.gov (National Sex Offender Public Registry). The minimum record check will be conducted once every four years for each person, and/or at the outset of the contract period if such checks have never been conducted. Further, the applicant will ensure the continued suitability of any officer, employee, volunteer or subcontractor to work or provide services to vulnerable clients. Results of all criminal history record inquiries conducted shall be placed in the employee's or volunteer's personnel file and shall be available to Judiciary for review. The applicant further shall have a written plan for addressing any findings that result from a criminal history record check that may affect the treatment milieu (e.g. actively under the supervision of any criminal justice agency, convicted sex offenders). Prior to commencing any work or services on the contract, the applicant shall ensure that any officer, employee, volunteer or subcontractor is suitable to be performing work or services in close proximity to or with unsupervised access to children, disabled, and/or elderly clients will be of reputable and responsible character and will not pose a risk to the health, safety,

security, or well-being of clients, staff and the general public.

- c. The applicant shall have on the premises at least one person currently certified in First Aid and CPR.
- d. The Applicant shall maintain documentation for each employee of an initial and annual tuberculosis (TB) skin test or chest X-ray.
- e. The staff and volunteers, if used by the applicant, shall be under the supervision of the program director or his or her designee and shall, accordingly, be trained in client confidentiality issues and program quality assurance requirements.
- f. Applicants shall describe its program for increasing clinical staff competencies in the acquisition of evidence-based, offender-oriented treatment. At a minimum, applicants shall demonstrate how direct care staff will be assisted in understanding and applying the risk-need-responsivity principles in their treatment of offenders, as well as the stages of change, motivating the client toward change and behavioral treatment.

2. Administrative

- a. The applicant shall establish and implement policies and procedures which clearly identify the target population for each type of service, the program content, and methods of service delivery.
- b. Court testimony by an applicant representative shall be provided as needed.

3. Quality assurance and evaluation specifications

- a. The applicant shall have a quality assurance plan which identifies the mission of the organization, what services will be provided, how they are delivered, who is qualified to deliver the services, who is eligible to receive the services, and what standards are used to assess or evaluate the quality and utilization of services.
- b. Program evaluation should reflect the documentation of the achievement of the stated goals, using tools and measures consistent with the professional standards of the disciplines involved in the delivery of services.
- c. Applicants shall agree, by contract, to be willing to undergo a program assessment and/or audit designed to assess applicant's implementation of effective practices in working with offenders. Based on the assessment/audit report, the vendor will develop in concert with the contracting agency, an action plan to address areas which need improvement. There should be at least one quality improvement activity completed annually.
- d. Applicants shall provide all program monitoring, assessments and/or evaluation reports completed within the last two years.

4. Output and performance/outcome measurements

- a. Output: The applicant shall record unduplicated clients served. The unduplicated client count shall be recorded in the applicant's quarterly reports, culminating in a final unduplicated client count on the applicant's final report.
- b. Outcome: The applicant shall propose measurement tools by which effectiveness of the services may be determined, as well as utilize any provided by the Judiciary.

5. Reporting requirements for program and fiscal data

- a. The provider shall submit written quarterly and year-end reports summarizing output and outcome data, performance accomplishments, challenges, and actual expenditures. Quarterly reports are due 30 days after the end of the quarter. Final reports are due 45 days after the end of each fiscal year and/or at the end of the contract period, as applicable.
- b. Reports shall consist of a statement by the provider relating to the work accomplished during the reporting period and shall include statements of the nature of the work performed, identification of persons served by the provider during the reporting period, identification of any immediate problems encountered during the reporting period, and any recommendations deemed pertinent by the provider, as well as a statement of what activities are proposed to be accomplished during the next reporting period. In addition to the written progress reports, the provider, upon request, shall be required to meet with representatives of the Judiciary to discuss the progress of the work required.
- c. The provider shall, at the completion of the contract period, submit a final written report to the Judiciary. The report shall include documentation of the provider's overall effort towards meeting the program goals and objectives. Furthermore, the provider shall furnish any additional reports or information that the Judiciary may from time to time require or request.

6. Pricing or pricing methodology to be used

Negotiated unit of service.

7. Units of service and unit rate

Estimated number of units of service:

East Hawaii: 1 bed spaces per day

West Hawaii: 1 bed space per day

2.20.4 Facilities

- A. Applicants shall provide a description of its facilities and its conduciveness to the treatment being provided.

- B. Facilities shall comply with all federal, state, and county laws, ordinances, codes, rules and regulations.

**2.21 SVC SPEC TITLE: Juvenile Drug Court, Third Circuit Court
DR3JSA - Juvenile Substance Abuse Treatment Services**

2.21.1 Introduction

A. & B. - (SEE SECTION 2.0.1)

C. Description of the goals of the service

The goal of the service is to provide a comprehensive continuum of services to include, assessments, evaluations, treatment plans, intensive outpatient treatment (IOP), outpatient treatment (OP), individual/family therapy, skill training, conflict resolution, mentoring and therapeutic/recreational activities or programs to juveniles referred by the Juvenile Drug Court of the Third Circuit.

D. Description of the target population to be served

Male and female Juvenile Drug Court participants between the ages of 14 to 17 years who are adjudicated as a law violator.

E. Geographic coverage of service

Service areas include the following:

Third Circuit – West Hawaii, East Hawaii or Island of Hawaii

F. Probable funding amounts, source, and period of availability

Probable funding amounts:

<u>FY 2020</u>	<u>FY 2021</u>	<u>FY 2022</u>	<u>FY 2023</u>
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Funding amounts are not being stated at this time. Applicants should propose funding amounts in their proposals based on their best estimate of the cost of providing the services described in these specifications.

Funding source: State General Funds.

Period of availability: The Judiciary intends to award a multi-term contract. The aggregate term of the contract shall not exceed four (4) years, e.g., July 1, 2019 to June 30, 2023, subject to the appropriation and availability of funds and satisfactory contract performance. Funds are available for only the initial term of the contract.

2.21.2 General Requirements

A. Specific qualifications or requirements, including but not limited to licensure or

accreditation.

1. The applicant shall have licenses and certificates, as applicable, in accordance with federal, state and county regulations, and comply with all applicable Hawaii Administrative Rules.
2. The applicant must have demonstrated competence or qualifications to perform the required services and shall have a minimum one year experience in the provision of services.
3. The applicant must have an accounting system, with acceptable accounting practices and standards.
4. The proposed service must meet all required state licensing or certification standards and provide assurances of fair hearing and grievance procedures for clientele, civil rights compliance, information safeguarding practices, and proof of insurance coverages as applicable.
5. The applicant shall submit in a timely manner upon request by the Judiciary, any additional information needed by the Judiciary to make a decision on the applicant's proposal. The Judiciary may request an oral discussion or presentation in support of the proposal. On-site visits may be made.
6. The applicant shall comply with the Chapter 103F, HRS Cost Principles for Purchases of Health and Human Services identified in SPO-H-201 (Effective 10/01/98), which can be found on the SPO website (See Section 5, POS Application Checklist, for the website address).
7. The applicant shall incorporate best practices/evidence-based practices in any substance abuse service. Best practices/evidence-based practices are defined as a body of contemporaneous empirical research findings that produce the most efficacious outcomes for persons with substance abuse problems, has a system for implementing and maintaining program integrity, and is in conformance to professional standards. For best practices in specific areas of substance abuse, the applicant may consult the Substance Abuse and Mental health Services Administration's (SAMHSA) Treatment Improvement Protocol Drug Addiction Treatment Improvement Protocol Series (TIPS) and the National Institute on Drug Abuse (NIDA) Principles of Drug Addiction Treatment, and/or access the individual government agency websites.

B. Secondary purchaser participation
(Refer to §3-143-608, HAR)

After-the-fact secondary purchases will be allowed.

C. Multiple or alternate proposals
(Refer to §3-143-605, HAR)

☐ Allowed ☒ Unallowed

D. Single or multiple contracts to be awarded

(Refer to §3-143-206, HAR)

☐ Single ☐ Multiple ☒ Single & Multiple

Multiple contracts may be awarded if such awards are deemed to be in the best interest of the Judiciary and will be based on the highest ranked proposals.

E. Single or multi-term contracts to be awarded

(Refer to §3-149-302, HAR)

☐ Single term (< 2 yrs) ☒ Multi-term (> 2 yrs.)

A multi-term contract will be awarded based on a determination that it is in the best interest of the Judiciary. The initial term of the contract shall be for two (2) years. Funds are available for only the initial term of the contract. The contract may be extended for another two (2) years, subject to appropriation and availability of funds and satisfactory performance of services by provider. Execution of a contract amendment is required to extend the contract for another term. The aggregate term of the contract shall not exceed four (4) years, e.g., July 1, 2019 to June 30, 2023. If it is determined that it is not in the best interest of the Judiciary to award a multi-term contract, a single-term contract will be awarded.

F. RFP contact persons

The individuals listed below are the points of contact from the date of release of this RFP until the selection of the winning provider or providers. Written questions should be submitted to the RFP contact person(s) and received on or before the day and time specified in Section 1.1 (Procurement Timetable) of this RFP.

If you have any technical questions regarding the requested services, please call the following individual:

Judiciary Contracts & Purchasing Office
Tritia Cruz
Phone: (808) 538-5805 fax: (808) 538-5802
Tritia.L.Cruz@courts.hawaii.gov

If you have any programmatic questions regarding the requested services, please call the following individual:

Program Services, Third Circuit
Aolani Mills, Program Specialist
Phone: (808) 322-8726 fax: (808) 322-8701

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Third Circuit Court
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2.21.3 Scope of Work

The scope of work encompasses the following tasks and responsibilities:

A. Service Activities (Minimum and/or mandatory tasks and responsibilities)

Applicants may provide a comprehensive continuum of evidence-based offender-oriented treatment services to include Substance Abuse Assessments, Substance Abuse Education, Outpatient and Intensive Outpatient to adolescents with alcohol and/or other drug related problems who are ordered or directed by the Juvenile Drug Court to obtain such services. Clients in any level of treatment shall meet the most current version of the American Society for Addiction Medicine Patient Placement Criteria (ASAM-PPC) for admission, continuance, and discharge, and documentation shall be included in the client's chart.

1. **Substance Abuse Assessments.** Substance abuse assessments shall be completed or reviewed/approved by certified substance abuse counselors, program administrators certified pursuant to Section 321-193 (10), Hawaii Revised Statutes; or individuals who hold an advanced degree in a behavioral health science. Assessments shall be completed to determine the need for substance abuse treatment and provide a recommended level of service. Assessments will take into consideration client history of substance use; bio-medical conditions and complications; emotional, behavioral or cognitive conditions and complications; readiness to change; relapse, continued use or continued problem potential and recovery/living environment. Assessments shall apply Diagnostic and Statistical Manual and the American Society of Addiction Medicine Patient Placement Criteria.
2. **Substance Abuse Education.** Substance Abuse Education shall provide clients with information pertaining to the pharmacology of substance abuse, lifestyle consequences, emotions management, coping skills and problem-solving training using cognitive behavioral techniques, treatment process, relapse prevention and abstinence maintenance training. The alcohol education and counseling program shall be for eight (8) to ten (10) hours and may include topics on the effects of alcohol on the brain and body, legal and social consequences, triggers to using, etc. The applicant shall also provide a parent/guardian education and counseling program of not more than ten (10) hours.
3. **Outpatient/Intensive Outpatient Treatment.** Outpatient/Intensive Outpatient Treatment provides comprehensive non-residential services to adolescents with substance abuse problems. Program activities shall include professionally directed assessment, initial and updated treatment planning, case management, individual and group counseling, substance abuse education, family counseling and support services. Services

may also include, but is not limited to, skill building, recreational therapy, and family counseling.

Outpatient services shall provide between one (1) and (8) hours per client per week of face-to-face treatment, including one (1) hour of scheduled and documented individual counseling per client per month. Intensive Outpatient services shall provide nine (9) or more hours per week of face-to-face treatment services, including one (1) hour of scheduled and documented individual counseling per client per week.

4. Applicants shall establish and implement policies and procedures for the following:
 - a. Applicants for Outpatient/Intensive Outpatient services shall provide written weekly progress reports for weekly staffing or court hearings. Written admission, staffing and court hearing reports and discharge reports shall be provided to supervising probation officers. Written discharge reports shall be provided no more than five (5) working days after a client's discharge or earlier upon request of the supervising officer for court hearing purposes. Discharge reports shall include the dates of admission, treatment and termination; reasons for termination with explanation; discharge plans and recommendations (including recommendations for handling of client target behaviors, relapse prevention plans, possible sanctions, etc), when applicable. Applicants shall attach sample copies of report formats to be used for these purposes.
 - b. The applicant shall have the capability and capacity to conduct alcohol and drug testing.

The applicant shall provide their written policies and procedures for such testing and shall describe the frequency and application of testing in treatment. Random and observed collections are required. The applicant shall insure that chain of custody and confidentiality issues are addressed appropriately. The applicant shall establish written testing, chain of custody and confidentiality procedures.

The Applicant shall identify instrumentation being utilized to conduct such testing and shall have the ability to do laboratory confirmation testing utilizing Gas Chromatography Mass Spectrometry or Liquid Chromatography Tandem Mass Spectrometry. Laboratories conducting such confirmation testing shall be Substance Abuse and Mental Health Services Administration and/or College of Addiction Pathologists – Forensic Urine Drug Testing certified. Confirmation testing at Limit of Quantitation levels is preferred.

Positive drug test results shall be reported immediately to the supervising probation officer, and a summary of drug test results shall be included in the required weekly reports for each client.

- c. Programs shall notify the supervising officer or program of any prospective major change in a client's status (i.e. potential discharge or level of care change)

occurring before the scheduled reporting cycle. Program staff will participate in staffing meetings with the Juvenile Drug Court when it is determined to be in the best interest of the client's treatment and adjustment.

- d. Applicants who provide Outpatient and Intensive Outpatient treatment modalities shall develop and implement appropriate transition plans for each client prior to discharge. The plan shall address transition and recover issues and relapse prevention, and shall be forwarded to the supervising officer.
 - e. Applicants shall provide treatment transition assistance to the client in the event that treatment funding is terminated, i.e. referral to another program, referral back to the supervising officer, etc.
 - f. Outpatient programs shall collaborate with other community agencies and resources, including but not limited to health, mental health, social, educational, vocational rehabilitation, and employment services for coordination and linkages with other services as part of the continuum of care.
 - g. Shall work together with the Juvenile Drug Court to provide ongoing case review and assessment of the client's progress throughout the treatment period.
 - h. Shall notify the Juvenile Drug Court or probation officer immediately or within 24 hours of juvenile's discharge, missed appointments and any emergencies that he/she experience.
 - i. Agrees to notify the Juvenile Drug Court or probation officer if there are any problems prior to termination of any juvenile, except in cases of emergency such as violence or threat of violence against staff or other clients.
 - j. Ensure that functions such as clinical supervision, clinical evaluation, treatment planning and individual, group and family counseling shall be provided by substance abuse counselors or program administrators certified pursuant to Section 321-193 (10), Hawaii Revised Statutes, or who holds an advance degree in behavioral science, unless otherwise approved by the Alcohol and Drug Abuse Division or the Department of Health, State of Hawaii.
 - k. Total time on placement shall not exceed the length of the juvenile's participation in the Juvenile Drug Court program.
5. Services and treatment are for referrals or placements made by the Juvenile Drug Court of the Third Circuit.

B. Management Requirements (Minimum and/or mandatory requirements)

1. Personnel

- a. The applicant shall possess and document knowledge, capacity, skills and experience in working with the targeted population. Applicants shall ensure that clinical supervision over program activities is provided by Hawaii State certified substance abuse counselors (CSACs) pursuant to Section 321-193 (10), Hawaii Revised Statutes; or who hold an advanced degree in behavioral health science (clinical supervision).

CSACs and individuals who hold an advanced degree in behavioral health sciences preferably shall perform the following functions; however, non-CSACs or non-Masters level providers may be utilized as long as they are directly supervised* by a CSAC or Master level counselor and are working toward certification:

- Clinical evaluation
- Treatment planning
- Individual, group, and family counseling

*Direct supervision means a minimum of one hour supervision for every seven hours of performance. This involves teaching the supervisee about each core function of a substance abuse counselor, demonstrating how each core function is accomplished, the supervisee sitting in while the supervisor performs the function, the supervisee performing the function with the supervisor present, and finally, the supervisee performing the function independently, but with review and feedback from the supervisor. In addition, supervisees shall be required to attend ADAD-approved CSAC preparatory training when available.

Applicants shall describe its program for increasing clinical staff competencies in the acquisition of evidence-based, offender-oriented treatment. At a minimum, applicants shall demonstrate how direct care staff will be assisted in understanding and applying the risk-need-responsivity principles in their treatment of offenders, as well as the stages of change, motivating the client toward change and behavioral treatment.

- b. The applicant shall conduct a State and Federal fingerprint- based criminal history record check for any person, including, but not limited to any officer, employee, volunteer or subcontractor, who performs work or services which necessitates close proximity to or unsupervised access to vulnerable clients such as children, disabled, and/or the elderly , or other program related vulnerable clients . In addition, the applicant will conduct a search of the State and National Sex Offender Registries, <http://sexoffenders.hawaii.gov> (State Sex Offender Registry) and the www.nsopr.gov (National Sex Offender Public Registry). The

minimum record check will be conducted once every four years for each person, and/or at the outset of the contract period if such checks have never been conducted. Further, the applicant will ensure the continued suitability of any officer, employee, volunteer or subcontractor to work or provide services to vulnerable clients. Results of all criminal history record inquiries conducted shall be placed in the employee's or volunteer's personnel file and shall be available to Judiciary for review. The applicant further shall have a written plan for addressing any findings that result from a criminal history record check that may affect the treatment milieu (e.g. actively under the supervision of any criminal justice agency, convicted sex offenders). Prior to commencing any work or services on the contract, the applicant shall ensure that any officer, employee, volunteer or subcontractor is suitable to be performing work or services in close proximity to or with unsupervised access to children, disabled, and/or elderly clients will be of reputable and responsible character and will not pose a risk to the health, safety, security, or well-being of clients, staff and the general public.

- c. The applicant shall have on the premises at least one person currently certified in First Aid and CPR.
- d. The applicant shall maintain documentation for each employee of an initial and annual tuberculosis (TB) skin test or chest X-ray.
- e. The staff and volunteers, if used by the applicant, shall be under the supervision of the program director or his or her designee and shall, accordingly, be trained in client confidentiality issues and program quality assurance requirements.

2. Administrative

The applicant shall establish and implement policies and procedures which clearly identify the target population for each type of service, the program content, and methods of service delivery.

3. Quality assurance and evaluation specifications

- a. The applicant shall have a quality assurance plan which identifies the mission of the organization, what services will be provided, how they are delivered, who is qualified to deliver the services, who is eligible to receive the services, and what standards are used to assess or evaluate the quality and utilization of services.
- b. Program evaluation should reflect the documentation of the achievement of the stated goals, using tools and measures consistent with the professional standards of the disciplines involved in the delivery of services.
- c. Applicants shall agree, by contract, to be willing to undergo a program assessment and/or audit designed to assess applicant's implementation of effective practices in working with offenders with substance use problems. Based on the assessment/audit report, the vendor will develop in concert with the contracting

agency, an action plan to address areas which need improvement. There should be at least one quality improvement activity completed annually.

- d. Applicants shall provide all program monitoring, assessments and/or evaluation reports completed within the last two years.

4. Output and performance/outcome measurements

- a. Output: The applicant shall record unduplicated clients served. The unduplicated client count shall be recorded in the applicant's quarterly reports, culminating in a final unduplicated client count on the applicant's final report.
- b. Outcome: The applicant shall indicate measurement tools by which effectiveness of the services may be determined, as well as utilize any provided by the Judiciary.

5. Reporting requirements for program and fiscal data

- a. The provider shall submit written quarterly and year-end reports summarizing output and outcome data, performance accomplishments, challenges, and actual expenditures. Quarterly reports are due 30 days after the end of the quarter. Final reports are due 45 days after the end of each fiscal year and/or at the end of the contract period, as applicable.
- b. Reports shall consist of a statement by the provider relating to the work accomplished during the reporting period and shall include statements of the nature of the work performed, identification of persons served by the provider during the reporting period, identification of any immediate problems encountered during the reporting period, and any recommendations deemed pertinent by the provider, as well as a statement of what activities are proposed to be accomplished during the next reporting period. In addition to the written progress reports, the provider, upon request, shall be required to meet with representatives of the Judiciary to discuss the progress of the work required.
- c. The provider shall, at the completion of the contract period, submit a final written report to the Judiciary. The report shall include documentation of the provider's overall effort towards meeting the program goals and objectives. Furthermore, the provider shall furnish any additional reports or information that the Judiciary may from time to time require or request.
- d. The applicant shall comply with the requirements of the statewide substance abuse treatment monitoring program established under HRS 321-192.5. The Judiciary additionally requires that all programs which provide substance abuse treatment services, whether accredited or not accredited by the Department of Health, Alcohol and Drug Abuse Division (ADAD), participate in the statewide data collection activities under the purview of ADAD.

6. Pricing or pricing methodology to be used

Negotiated unit of service.

7. Units of service and unit rate

Proposals shall include, as applicable, average expected lengths of stays proposed for each level of care; group sizes and frequency of services (i.e. number of sessions per week), as applicable; and provide fees for units of services as follows:

- a. Additional substance abuse assessments/Per Assessment
- b. Outpatient Treatment/Per Hour/Per Individual
- c. Intensive Outpatient Treatment/Per Hour/Per Individual
- d. Individual and Family Counseling /Per Hour/Per Individual/Per Family

(Initial screening and assessments for program acceptance shall be an imbedded cost. Applicants may cite unite rates by the half or quarter hour as applicable.)

2.21.4 Facilities

- A. Applicants shall provide a description of its facilities and its conduciveness to the treatment being provided.

**2.22 SVC SPEC TITLE: Juvenile Drug Court, Third Circuit Court
DR3JSS - Emergency Shelter Care Services**

2.22.1 Introduction

A. & B. - (SEE SECTION 2.0.1)

C. Description of the goals of the service

The goal of the service is to assist juveniles to resolve various problems and conflicts to help them learn socially acceptable behaviors and function in the community as law-abiding citizens. Services should also be reflective of the court's balanced and restorative justice philosophy, and the guiding principles of the Juvenile Detention Alternative Initiative (JDAI). The goals of balanced and restorative justice are accountability, competency development, and public safety. JDAI principles are complimentary in that it can help shape and guide jurisdiction's practice through collaboration and a continuum of services that are culturally competent, relevant and accessible to the youth they serve and reduce the reliance on unnecessary confinement in secured detention.

D. Description of the target population to be served

Male and female Juvenile Drug Court participants between the ages of 14 to 17 years who are adjudicated as a law violator.

E. Geographic coverage of service

Service areas include the following:
Third Circuit – West Hawaii, East Hawaii or Island of Hawaii

F. Probable funding amounts, source, and period of availability

Probable funding amounts:

<u>FY 2020</u>	<u>FY 2021</u>	<u>FY 2022</u>	<u>FY 2023</u>
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Funding amounts are not being stated at this time. Applicants should propose funding amounts in their proposals based on their best estimate of the cost of providing the services described in these specifications.

Funding source: State General Funds.

Period of availability: The Judiciary intends to award a multi-term contract. The aggregate term of the contract shall not exceed four (4) years, e.g., July 1, 2019 to June 30, 2023, subject to the appropriation and availability of funds and satisfactory contract performance. Funds are available for only the initial term of the contract which is for two (2) years.

2.22.2 General Requirements

A. **Specific qualifications or requirements, including but not limited to licensure or accreditation.**

1. The applicant shall have licenses and certificates, as applicable, in accordance with federal, state and county regulations, and comply with all applicable Hawaii Administrative Rules.
2. The applicant must have demonstrated competence or qualifications to perform the required services and shall have a minimum one year experience in the provision of services.
3. The applicant must have an accounting system, with acceptable accounting practices and standards.
4. The proposed service must meet all required state licensing or certification standards and provide assurances of fair hearing and grievance procedures for clientele, civil rights compliance, information safeguarding practices, and proof of insurance coverages as applicable.
5. The applicant shall submit in a timely manner upon request by the Judiciary, any additional information needed by the Judiciary to make a decision on the applicant's proposal. The Judiciary may request an oral discussion or presentation in support of the proposal. On-site visits may be made.
6. The applicant shall comply with the Chapter 103F, HRS Cost Principles for Purchases of Health and Human Services identified in SPO-H-201 (Effective 10/01/98), which can be found on the SPO website (See Section 5, POS Application Checklist, for the website address).

B. **Secondary purchaser participation** (Refer to §3-143-608, HAR)

After-the-fact secondary purchases will be allowed.

C. **Multiple or alternate proposals** (Refer to §3-143-605, HAR)

☐ Allowed ☒ Unallowed

D. **Single or multiple contracts to be awarded** (Refer to §3-143-206, HAR)

☐ Single ☐ Multiple ☒ Single & Multiple

Multiple contracts may be awarded if such awards are deemed to be in the best interest of the Judiciary and will be based on the highest ranked proposals.

E. Single or multi-term contracts to be awarded
(Refer to §3-149-302, HAR)

☐ Single term (< 2 yrs) ☒ Multi-term (> 2 yrs.)

A multi-term contract will be awarded based on a determination that it is in the best interest of the Judiciary. The initial term of the contract shall be for two (2) years. Funds are available for only the initial term of the contract. The contract may be extended for another two (2) years, subject to appropriation and availability of funds and satisfactory performance of services by provider. Execution of a contract amendment is required to extend the contract for another term. The aggregate term of the contract shall not exceed four (4) years, e.g., July 1, 2019 to June 30, 2023. If it is determined that it is not in the best interest of the Judiciary to award a multi-term contract, a single-term contract will be awarded.

F. RFP contact persons

The individuals listed below are the points of contact from the date of release of this RFP until the selection of the winning provider or providers. Written questions should be submitted to the RFP contact person(s) and received on or before the day and time specified in Section 1.1 (Procurement Timetable) of this RFP.

If you have any technical questions regarding the requested services, please call the following individual:

Judiciary Contracts & Purchasing Office
Tritia Cruz
Phone: (808) 538-5805 fax: (808) 538-5802
Tritia.L.Cruz@courts.hawaii.gov

If you have any programmatic questions regarding the requested services, please call the following individual:

Program Services, Third Circuit
Aolani Mills, Program Specialist
Phone: (808) 322-8726 fax: (808) 322-8701
Aolani.M.Mills@courts.hawaii.gov

Third Circuit Court
Grayson Hashida, Drug Court Coordinator
Phone: (808) 443-2201 fax: (808) 443-2222
Grayson.K.Hashida@courts.hawaii.gov

2.22.3 Scope of Work

The scope of work encompasses the following tasks and responsibilities:

A. Service Activities (Minimum and/or mandatory tasks and responsibilities)

Services are being requested for a temporary shelter for youth who require a safe, monitored living environment while awaiting return to their own homes, placement in a substitute home, treatment program, or alternative living arrangement.

1. Specific needs include, but are not limited to:
 - a. The ability to accept referrals within one (1) hour;
 - b. Accommodation of juveniles up to thirty (30) days, with the possibility of extensions;
 - c. A counseling component to address individual client needs as appropriate;
 - d. Transportation; and
 - e. Twenty-four (24) hour supervision by responsible adult staff at an appropriate level to minimize clients' unauthorized departure.
2. Juvenile Drug Court will retain sole authority to screen, determine admissibility, and to control placement.

B. Management Requirements (Minimum and/or mandatory requirements)

1. Personnel

- a. The applicant shall possess and document knowledge, capacity, skills and experience in working with the targeted population.
- b. The applicant shall conduct a State and Federal fingerprint- based criminal history record check for any person, including, but not limited to any officer, employee, volunteer or subcontractor, who performs work or services which necessitates close proximity to or unsupervised access to vulnerable clients such as children, disabled, and/or the elderly , or other program related vulnerable clients . In addition, the applicant will conduct a search of the State and National Sex Offender Registries, <http://sexoffenders.ehawaii.gov> (State Sex Offender Registry) and the www.nsopr.gov (National Sex Offender Public Registry). The minimum record check will be conducted once every four years for each person, and/or at the outset of the contract period if such checks have never been conducted. Further, the applicant will ensure the continued suitability of any

officer, employee, volunteer or subcontractor to work or provide services to vulnerable clients. Results of all criminal history record inquiries conducted shall be placed in the employee's or volunteer's personnel file and shall be available to Judiciary for review. The applicant further shall have a written plan for addressing any findings that result from a criminal history record check that may affect the treatment milieu (e.g. actively under the supervision of any criminal justice agency, convicted sex offenders). Prior to commencing any work or services on the contract, the applicant shall ensure that any officer, employee, volunteer or subcontractor is suitable to be performing work or services in close proximity to or with unsupervised access to children, disabled, and/or elderly clients will be of reputable and responsible character and will not pose a risk to the health, safety, security, or well-being of clients, staff and the general public.

- c. The applicant shall have on the premises at least one person currently certified in First Aid and CPR.
- d. The Applicant shall maintain documentation for each employee of an initial and annual tuberculosis (TB) skin test or chest X-ray.
- e. The staff and volunteers, if used by the applicant, shall be under the supervision of the program director or his or her designee and shall, accordingly, be trained in client confidentiality issues and program quality assurance requirements.
- f. The applicant must have sufficient and relevant training and staff development.

2. Administrative

The applicant shall establish and implement policies and procedures which clearly identify the target population for each type of service, the program content, and methods of service delivery.

3. Quality assurance and evaluation specifications

- a. The applicant shall have a quality assurance plan which identifies the mission of the organization, what services will be provided, how they are delivered, who is qualified to deliver the services, who is eligible to receive the services, and what standards are used to assess or evaluate the quality and utilization of services.
- b. Program evaluation should reflect the documentation of the achievement of the stated goals, using tools and measures consistent with the professional standards of the disciplines involved in the delivery of services.
- c. Applicants shall agree, by contract, to be willing to undergo a program assessment and/or audit designed to assess applicant's implementation of effective practices in working with juvenile offenders. Based on the assessment/audit report, the

vendor will develop in concert with the contracting agency, an action plan to address areas which need improvement. There should be at least one quality improvement activity completed annually.

- d. Applicants shall provide all program monitoring, assessments and/or evaluation reports completed within the last two years.

4. Output and performance/outcome measurements

- a. Output: The applicant shall record unduplicated clients served. The unduplicated client count shall be recorded in the applicant's quarterly reports, culminating in a final unduplicated client count on the applicant's final report.
- b. Outcome: The applicant shall indicate measurement tools by which effectiveness of the services may be determined, as well as utilize any provided by the Judiciary.

5. Reporting requirements for program and fiscal data

- a. The provider shall submit written quarterly and year-end reports summarizing output and outcome data, performance accomplishments, challenges, and actual expenditures. Quarterly reports are due 30 days after the end of the quarter. Final reports are due 45 days after the end of each fiscal year and/or at the end of the contract period, as applicable.
- b. Reports shall consist of a statement by the provider relating to the work accomplished during the reporting period and shall include statements of the nature of the work performed, identification of persons served by the provider during the reporting period, identification of any immediate problems encountered during the reporting period, and any recommendations deemed pertinent by the provider, as well as a statement of what activities are proposed to be accomplished during the next reporting period. In addition to the written progress reports, the provider, upon request, shall be required to meet with representatives of the Judiciary to discuss the progress of the work required.
- c. The provider shall, at the completion of the contract period, submit a final written report to the Judiciary. The report shall include documentation of the provider's overall effort towards meeting the program goals and objectives. Furthermore, the provider shall furnish any additional reports or information that the Judiciary may from time to time require or request.

6. Pricing or pricing methodology to be used

Negotiated unit of service.

7. Units of service and unit rate

Estimated number of units of service:

Hawaii: Minimum of 2 bed spaces island wide and may need additional bed spaces
in excess of this number

**2.23 SVC SPEC TITLE: Center for Alternative Dispute Resolution
ADRMS - Mediation and Related Dispute Resolution Services**

2.23.1 Introduction

A. & B. – (SEE SECTION 2.0.1)

C. Description of the goals of the service

Provide Hawaii residents and court users with neutral, alternative dispute resolution (ADR) processes that provide opportunities for early, party-driven, efficient and fair resolution of conflicts, and promote the use of ADR as an effective means of resolving appropriate disputes without litigation.

D. Description of the target population to be served

Hawaii residents and court users.

E. Geographic coverage of service

Service areas consist of, at a minimum, the islands of Kauai, Oahu, Lanai, Molokai, Maui and Hawaii.

F. Probable funding amounts, source and period of availability

Probable funding amounts:

<u>FY 2020</u>	<u>FY 2021</u>	<u>FY 2022</u>	<u>FY 2023</u>
\$400,000	\$400,000	\$400,000	\$400,000

Funding source: State general funds, Federal funds, Special funds

Period of availability: FY 2020 through FY 2023, subject to appropriation and availability of funds, and the satisfactory performance of services by the provider.

2.23.2 General Requirements

A. Specific qualifications or requirements, including but not limited to licensure or accreditation

1. The applicant shall have licenses and certificates, as applicable, in accordance with federal, state and county regulations, and comply with all applicable Hawaii Administrative Rules.

2. The applicant must have demonstrated competence or qualifications to perform the required services.
3. The applicant shall have an accounting system in compliance with generally acceptable accounting principles.
4. The proposed service must meet all required state licensing or certification standards, provide assurances of fair grievance procedures for clientele, civil rights compliance, information safeguarding practices, and provide proof of insurance coverages as applicable.
5. The applicant shall submit in a timely manner upon request by the Judiciary, any additional information needed by the Judiciary to make a decision on the applicant's proposal. The Judiciary may request an oral discussion or presentation in support of the proposal. On-site visits may be made.
6. The applicant shall comply with the Chapter 103F, HRS Cost Principles for Purchases of Health and Human Services identified in SPO-H-201 (Effective 10/01/98), which can be found on the SPO website (See Section 5, POS Application Checklist, for the website address).

B. Secondary purchaser participation
(Refer to §3-143-608, HAR)

After-the-fact secondary purchases will be allowed.

C. Multiple or alternate proposals
(Refer to §3-143-605, HAR)

☐ Allowed ☒ Not allowed

D. Single or multiple contracts to be awarded
(Refer to §3-143-206, HAR)

☒ Single ☐ Multiple ☐ Single & Multiple

E. Single or multi-term contracts to be awarded
(Refer to §3-149-302, HAR)

☐ Single term (<2 years) ☒ Multi-term (>2 years)

The initial term of the contract shall be for two (2) years, FY 2020 through FY 2021, subject to appropriation and availability of funds, and the

satisfactory performance of services by the provider. The contract may be extended for another two (2) years, subject to appropriation and availability of funds, and satisfactory performance of services by the provider. Execution of a contract amendment is required to extend the contract for the extension period, FY 2022 through FY 2023. The aggregate term of the contract shall not exceed four (4) years, July 1, 2019 - June 30, 2023. If it is determined that it is not in the best interest of the Judiciary to award a multi-term contract, a single-term contract will be awarded.

F. RFP Contact persons

The individuals listed below are the points of contact from the date of release of this RFP until the selection of the winning provider or providers. Written questions should be submitted to the RFP contact person(s) and received on or before the day and time specified in Section 1.1 (Procurement Timetable) of this RFP.

For technical questions related to the Request for Proposal process, please contact the following individual:

Judiciary Purchasing Office
Tritia Cruz at (808) 538-5805 Fax: (808) 538-5802
Email: Tritia.L.Cruz@courts.hawaii.gov

If you have any programmatic questions regarding the requested services, please call the following individual:

Center for Alternative Dispute Resolution
Cecelia C.Y. Chang at (808) 539-4237 Fax: (808) 539-4416
Email: cadr@courts.hawaii.gov

2.23.3 Scope of Work

The scope of work encompasses the following tasks and responsibilities:

A. Service Activities (Minimum and/or mandatory tasks and responsibilities)

1. Applicant will provide mediation and related dispute resolution services (“mediation services”), and administration of mediation services for appropriate cases in judicial circuits in the State of Hawaii as described below.
 - a. Applicant will establish and maintain effective referral and intake services.

- b. Applicant will have a statewide training program that allows for uniformity in the training of mediators who provide the mediation services.
 - c. Applicant will have a sufficient number of trained and qualified mediators.
 - d. Applicant will maintain an active program of outreach and education.
 - e. Applicant will provide administration and assistance to the courts in connection with mediation services for court matters.
2. Applicant will provide mediation services for cases that are pending in Hawaii's State Courts as follows:
- a. **Where JUDICIARY facilities are adequate to allow for it, the provision of on-site mediation services at no cost to participants for small claims and residential landlord/tenant cases, and where JUDICIARY facilities do not provide adequate space for mediators on-site at court, the provision of mediation services at no cost for these cases in a timely manner at a facility off-site of the JUDICIARY facility;**
 - b. Mediation of mortgage foreclosure cases shall be provided by mediators that have received specific training in mediating mortgage foreclosure cases, and will be provided for a reasonable cost; and
 - c. Mediation for other cases that are pending in Hawaii's State Courts will be provided for at a reasonable cost, or at reduced cost or no cost for participants who cannot afford to pay the full rate.
3. Applicant shall provide services to the Family Court of the First Judicial Circuit in connection with the coordination and oversight of the Volunteer Settlement Master process.
4. Applicant will provide mediation services for cases in the community that are not pending in Hawaii's State Courts. Mediation for these cases will be provided for at a reasonable cost, at a reduced cost, or no cost for participants who cannot afford to pay the full rate.

B. Management Requirements (minimum and/or mandatory requirements)

1. Personnel

- a. The applicant shall possess and document knowledge, capacity, skills and experience in working with the targeted population.
- b. The applicant shall conduct a State and Federal fingerprint-based criminal history record check for any person, including, but not limited to any officer, employee, volunteer or subcontractor, who performs work or services which necessitates close proximity to or unsupervised access to vulnerable clients such as children, disabled, and/or the elderly , or other program related vulnerable clients . In addition, the applicant will conduct a search of the State and National Sex Offender Registries, <http://sexoffenders.ehawaii.gov> (State Sex Offender Registry) and the www.nsopr.gov (National Sex Offender Public Registry). The minimum record check will be conducted once every four years for each person, and/or at the outset of the contract period if such checks have never been conducted. Further, the applicant will ensure the continued suitability of any officer, employee, volunteer or subcontractor to work or provide services to vulnerable clients. Results of all criminal history record inquiries conducted shall be placed in the employee's or volunteer's personnel file and shall be available to Judiciary for review. The applicant further shall have a written plan for addressing any findings that result from a criminal history record check that may affect the treatment milieu (e.g. actively under the supervision of any criminal justice agency, convicted sex offenders). Prior to commencing any work or services on the contract, the applicant shall ensure that any officer, employee, volunteer or subcontractor is suitable to be performing work or services in close proximity to or with unsupervised access to children, disabled, and/or elderly clients will be of reputable and responsible character and will not pose a risk to the health, safety, security, or well-being of clients, staff and the general public.
- c. The applicant shall have on the premises at least one person currently certified in First Aid and CPR.
- d. The staff and volunteers, if used by the applicant, shall be

under the supervision of the program director or his or her designee and shall be trained in client confidentiality issues and program quality assurance requirements.

- e. The applicant must have sufficient and relevant training and staff development.

2. Administrative

- a. The applicant shall establish and implement policies and procedures that clearly identify the target population for each type of service, the program content, and methods of service delivery.
- b. The applicant and all its subcontractors, if any, must have the ability to electronically communicate (i.e., e-mail) with the Judiciary in order to transmit reports and other correspondence.

3. Quality assurance and evaluation specifications

- a. The applicant shall have a quality assurance plan which identifies the mission of the organization, what services will be provided, how they are delivered, who is qualified to deliver the services, who is eligible to receive the services, and what standards are used to assess or evaluate the quality and utilization of services.
- b. Program evaluation should reflect the documentation of the achievement of the stated goals, using tools and measures consistent with the professional standards of the disciplines involved in the delivery of services.
- c. Applicants shall agree, by contract, to be willing to undergo a program assessment and audit as designated by the contracting agency. Based on the assessment/audit report, the vendor will develop, in concert with the contracting agency, an action plan to address areas which need improvement.

4. Output and performance/outcome measures

- a. Output: The applicant shall record unduplicated clients served. The unduplicated client count shall be recorded in the applicant's quarterly reports, culminating in a final

unduplicated client count on the applicant's final report.

- b. Outcome: The applicant shall propose measurement tools by which effectiveness of the services may be determined, as well as utilize any provided by the Judiciary.

5. Reporting requirements for program and fiscal data

- a. The Applicant shall submit written Quarterly and Year-End reports summarizing output and outcome data, performance accomplishments, challenges, and actual expenditures. Quarterly reports are due thirty (30) days after the end of the quarter. Year-End reports are due forty-five (45) days after the end of each fiscal year and/or at the end of the contract period, as applicable.
- b. Reports shall consist of a statement by the Applicant relating to the work accomplished during the reporting period and shall include statements of the nature of the work performed, identification of persons served by the Applicant during the reporting period, identification of any immediate problems encountered during the reporting period, and any recommendations deemed pertinent by the Applicant, as well as a statement of what activities are proposed to be accomplished during the next reporting period. In addition to the written progress reports, the Applicant, upon request, shall be required to meet with representatives of the Judiciary to discuss the progress of the work required.
- c. The Applicant shall, at the completion of the contract period, submit a final written report to the Judiciary. The report shall include documentation of the provider's overall effort towards meeting the program goals and objectives. Furthermore, the Applicant shall furnish any additional reports or information that the Judiciary may from time to time require or request.

6. Pricing or pricing methodology to be used

Fixed price.

7. Units of service and unit rate

Not applicable.

END OF SECTION TWO

SECTION THREE

PROPOSAL APPLICATION INSTRUCTIONS

SECTION THREE PROPOSAL APPLICATION INSTRUCTIONS

3.0 General instructions for completing applications:

- *Proposal Applications shall be submitted to the Judiciary using the prescribed format outlined in this section.*
- *The numerical outline for the application, the titles/subtitles, and the applicant organization and RFP identification information on the top right hand corner of each page should be retained. The instructions for each section, however, may be omitted.*
- *Page numbering of the Proposal Application should be consecutive, beginning with page one and continuing through the complete proposal.*
- *Proposals may be submitted in a three ring binder (Optional).*
- *Tabbing of sections (Recommended).*
- *Applicants must also include a Table of Contents with the Proposal Application. A sample format is reflected in SECTION FIVE, **Attachment B** of this RFP.*
- *A written response is required for **each** item unless indicated otherwise. Failure to answer any of the items will impact upon an applicant's score.*
- *Applicants are encouraged to take SECTION FOUR, Proposal Evaluation, into consideration when completing the proposal.*

The Proposal Application comprises the following sections:

- *Proposal Application Identification Form*
- *Table of Contents*
- *Program Overview*
- *Experience and Capability*
- *Project Organization and Staffing*
- *Service Delivery*
- *Financial*
- *Other*

3.1 Program Overview

This section shall clearly and concisely summarize and highlight the contents of the proposal in such a way as to provide the Judiciary with a broad understanding of the entire proposal. Include a brief description of the applicant's organization, the goals and objectives related to the service activity, and how the proposed service is designed to meet the problem/need identified in the service specifications.

3.2. Experience and Capability

3.2.1 Necessary Skills and Experience

The applicant shall demonstrate that it has the necessary skills, abilities, knowledge of, and experience relating to the delivery of the proposed services.

3.2.2 Experience

The applicant shall provide a listing of verifiable experience with projects or contracts for the most recent five years that are pertinent to the proposed services. Applicant shall include points of contact, addresses, email/phone numbers. The State reserves the right to contact references to verify experience.

3.2.2 Quality Assurance and Evaluation

The applicant shall describe its quality assurance and evaluation plans for the proposed services, including methodology.

3.2.3 Coordination of Services

The applicant shall demonstrate the capability to coordinate services with other agencies and resources in the community.

3.2.4 Facilities

The applicant shall provide a description of its facilities and demonstrate its adequacy in relation to the proposed services. If facilities are not presently available, describe plans to secure facilities. Also describe how the facilities meet ADA requirements, as applicable and special equipment that may be required for the services.

3.3 Project Organization and Staffing

3.3.1 Staffing

A. Proposed Staffing

The applicant shall describe the proposed staffing pattern, client/staff ratio and proposed caseload capacity appropriate for the viability of the services. (Refer to the personnel requirements in the Service Specifications, as applicable.)

B. Staff Qualifications

The applicant shall provide the minimum qualifications (including experience) for staff assigned to the program. (Refer to the qualifications in the Service Specifications, as applicable)

3.3.2 Project Organization

A. Supervision and Training

The applicant shall describe its ability to supervise, train and provide administrative direction relative to the delivery of the proposed services.

B. Organization Chart

The applicant shall reflect the position of each staff and line of responsibility/supervision. (Include position title, name and full time equivalency) Both the “Organization-wide” and “Program” organization charts shall be attached to the Proposal Application.

3.4 Service Delivery

The Service Delivery Section shall include a detailed discussion of the applicant’s approach to applicable service activities and management requirements from the Scope of Work section within each service specification, including a work plan of all service activities and tasks to be completed, related work assignments/responsibilities and timelines/schedules.

3.5 Financial

3.5.1 Pricing Structure

The applicant shall submit a cost proposal utilizing the pricing structure in SECTION TWO designated by the Judiciary purchasing agency. The cost proposal shall be attached to the Proposal Application.

3.5.1.1 Pricing Structure Based on Negotiated Unit of Service Rate

In order to determine a price (unit rate) for a unit of service, the applicant and state purchasing agency must negotiate the total costs (including agency administration) for operating a program at a specific capacity and divide by the total number of units of service that the program can produce at that capacity. The following forms, which are available on the State Procurement Office website on the “Procurement Forms and Instructions for State Agencies” page, shall be submitted with the Proposal Application:

Budget - SPO-H-205

Personnel - Salaries and Wages - SPO-H-206A

Personnel: Payroll Taxes, Assessments, and Fringe Benefits - SPO-H-206B
Budget Justification, Travel - Inter-Island - SPO-H-206C (If applicable)
Budget Justification, Travel - Out of State - SPO-H-206D (If applicable)
Budget Justification, Contractual Services - Administrative - SPO-H-206E (If applicable)
Budget Justification, Contractual Services - Subcontracts - SPO-H-206F (If applicable)
Budget Justification, Program Activities - SPO-H-206H (If applicable)
Budget Justification, Equipment Purchases - SPO-H-206I (If applicable)
Budget Justification, Motor Vehicle - SPO-H-206J (If applicable)

3.5.1.2 Pricing Structure Based on Fixed Price

If a state purchasing agency is utilizing a fixed price pricing structure for the RFP, the applicant is requested to furnish a reasonable estimate of services it can provide for which there is sufficient operating capacity (adequate, planned and budgeted space, equipment and staff). The following forms, which are available on the State Procurement Office website on the “Procurement Forms and Instructions for State Agencies” page, shall be submitted with the Proposal Application:

Budget - SPO-H-205
Personnel - Salaries and Wages - SPO-H-206A
Personnel: Payroll Taxes, Assessments, and Fringe Benefits - SPO-H-206B
Budget Justification, Travel - Inter-Island - SPO-H-206C (If applicable)
Budget Justification, Travel - Out of State - SPO-H-206D (If applicable)
Budget Justification, Contractual Services - Administrative - SPO-H-206E (If applicable)
Budget Justification, Contractual Services - Subcontracts - SPO-H-206F (If applicable)
Budget Justification, Program Activities - SPO-H-206H (If applicable)
Budget Justification, Equipment Purchases - SPO-H-206I (If applicable)
Budget Justification, Motor Vehicle - SPO-H-206J (If applicable)

3.5.2 Other Financial Related Materials

3.5.2.1 Accounting System

In order to determine the adequacy of the applicant’s accounting system as described under the administrative rules, the following documents are requested as part of the Proposal Application (may be attached):

The most recent financial audit.

3.6 Other

3.6.1 Litigation

The applicant shall disclose any pending litigation to which they are a party, including the disclosure of any outstanding judgment. If applicable, please explain.

3.6.2 Performance and Output Measurement Tables (when required per applicable service specifications.)

3.6.3 Other Program Specific Requirements (when required per applicable service specifications.)

END OF SECTION THREE

SECTION FOUR

PROPOSAL EVALUATION

SECTION FOUR - PROPOSAL EVALUATION

4.1 Introduction

The evaluation of proposals received in response to the RFP will be conducted comprehensively, fairly and impartially. Structural, quantitative scoring techniques will be utilized to maximize the objectivity of the evaluation.

4.2 Evaluation Process

The Family Court staff of the Judiciary will review and evaluate proposals. When an evaluation committee is utilized, the committee will be comprised of individuals with experience in, knowledge of, and program responsibility for program service and financing.

The evaluation will be conducted in three phases as follows:

- Phase 1 - Evaluation of Proposal Requirements
- Phase 2 - Evaluation of POS Proposal Application
- Phase 3 - Recommendation for Award

4.2.1 Evaluation Categories and Threshold

<u>Evaluation Categories</u>	<u>Possible Points</u>
Administrative Requirements	Pass or Rejected
<i>Proposal Application</i>	100 Points
Program Overview	0 points
Experience and Capability	20 points
Project Organization and Staffing	15 points
Service Delivery	55 points
Financial	10 points
TOTAL POSSIBLE POINTS	100 Points

4.3 Evaluation Criteria

4.3.1 Phase 1 - Evaluation of Proposal Requirements

4.3.1.1 Administrative Requirements

- Application Checklist
- Registration (if not pre-registered with the State Procurement Office)
- Certifications (as applicable)

4.3.1.2 Proposal Application Requirements

- Proposal Application Identification Form (Form SPO-H-200)
- Table of Contents
- Program Overview
- Experience and Capability
- Project Organization and Staffing
- Service Delivery
- Financial (All required forms and documents)
- Program Specific Requirements (as applicable)

4.3.2 Phase 2 - Evaluation of Proposal (100 Points)

4.3.2.1 Program Overview (0 Points)

- The applicant has demonstrated a thorough understanding of the purpose and scope of the service activity.
- The goals and objectives are in alignment with the proposed service activity.
- The applicant has described how the proposed service is designed to meet the pertinent issues and problems related to the service activity.

4.3.2.2 Experience and Capability (20 Points)

- The Judiciary will evaluate the applicant's experience and capability relevant to the proposal contract which shall include:
- Demonstrated skills, abilities, knowledge of, and experience relating to the delivery of the proposed services.
- Sufficiency of quality assurance and evaluation plans for the proposed services, including methodology.
- Demonstrated capability to coordinate services with other agencies and resources in the community.
- Adequacy of facilities relative to the proposed services.

4.3.2.3 Project Organization and Staffing (15 Points)

- The Judiciary will evaluate the applicant's overall staffing approach to the service that shall include:
- That the proposed staffing pattern, client/staff ratio, and proposed caseload capacity is reasonable to insure viability of the services.
- Minimum qualifications (including experience) for staff assigned to the program.
- Demonstrated ability to supervise, train and provide administrative direction to staff relative to the delivery of the proposed services.
- Organization Chart (Approach and rationale for the structure, functions, and staffing of the proposed organization for the overall service activity and tasks).

4.3.2.4 Service Delivery (55 points)

Evaluation criteria for this section will assess the applicant's approach to the service activities and management requirements outlined in the Proposal Application. The evaluation criteria may also include an assessment of the logic of the work plan for the major service activities and tasks to be completed, including clarity in work assignments and responsibilities, and the realism of the timeliness and schedules, as applicable.

4.3.2.5 Financial (10 Points)

A. Pricing structure based on negotiated unit of service:

Competitiveness and reasonableness of unit of service, as applicable.

OR

B. Pricing structure based on fixed rate:

Applicant's proposal budget is reasonable, given program resources and operational capacity.

AND

C. Adequacy of accounting system.

4.3.3 Phase 3 - Recommendation for Award

Each notice of award shall contain a statement of findings and decision for the award or non-award of the contract to each applicant.

END OF SECTION

SECTION FIVE

ATTACHMENTS

Attachment A – Proposal Application Checklist

Attachment B – Proposal Application Identification Form, Application, and Sample Table of Contents

Attachment C – Contract General Conditions (Pursuant to 103F, HR), Special Conditions, Hawaii
Judiciary Discrimination/Harassment-Free Workplace

Attachment A

Proposal Application Checklist

Proposal Application Checklist

Applicant: _____

RFP No.: _____

The applicant's proposal must contain the following components in the order shown below. This checklist must be signed, dated and returned to the state purchasing agency as part of the POS Proposal Application. SPOH forms are on the SPO website.

Item	Reference in RFP	Format/Instructions Provided	Required by Purchasing Agency	Completed by Applicant
<i>General:</i>				
Proposal Application Identification Form (SPO-H-200)	Section 1, RFP	SPO Website	X	
Proposals Application Checklist	Section 1, RFP	Attachment A	X	
Table of Contents	Section 5, RFP	Section 5, RFP	X	
Proposal Application (SPOH-200A)	Section 3, RFP	SPO Website	X	
Provider Compliance	Section 1, RFP	SPO Website		
Cost Proposal (Budget)				
SPOH-205	Section 3, RFP	SPO Website	X	
SPOH-205A	Section 3, RFP	SPO Website		
SPOH-205B	Section 3, RFP	SPO Website		
SPOH-206A	Section 3, RFP	SPO Website	X	
SPOH-206B	Section 3, RFP	SPO Website	X	
SPOH-206C	Section 3, RFP	SPO Website	If applicable	
SPOH-206D	Section 3, RFP	SPO Website	If applicable	
SPOH-206E	Section 3, RFP	SPO Website	If applicable	
SPOH-206F	Section 3, RFP	SPO Website	If applicable	
SPOH-206G	Section 3, RFP	SPO Website		
SPOH-206H	Section 3, RFP	SPO Website	If applicable	
SPOH-206I	Section 3, RFP	SPO Website	If applicable	
SPOH-206J	Section 3, RFP	SPO Website	If applicable	
Certification:				
<i>Federal Certifications</i>		Section 5, RFP		
Debarment & Suspension		Section 5, RFP		
Drug Free Workplace Requirements		Section 5, RFP		
Lobbying		Section 5, RFP		
Program Fraud Civil Remedies Act		Section 5, RFP		
Environmental Tobacco Smoke		Section 5, RFP		
Program Specific Requirements:				

Authorized Signature

Date

Attachment B

Proposal Application Identification Form, Application, and Sample Table of Contents

FOR OFFICE USE	
JUD APP NO. _____	
STATE OF HAWAII THE JUDICIARY PROPOSAL APPLICATION IDENTIFICATION FORM RESPONSE TO RFP NO. _____	
SVC SPEC. NO./CODE/DESCRIPTION: _____ TITLE OF APPLICANT'S PROGRAM: _____ Check one: <input type="checkbox"/> INITIAL PROPOSAL APPLICATION <input type="checkbox"/> FINAL REVISED PROPOSAL (COMPLETE ITEMS _____ - _____ ONLY)	
1. APPLICANT INFORMATION LEGAL NAME: _____ DBA: _____ STREET ADDRESS: _____ MAILING ADDRESS: _____	2. CONTACT PERSON FOR MATTERS INVOLVING THIS APPLICATION: Name _____ Title _____ Phone# _____ Fax# _____ E-mail _____
3. TYPE OF BUSINESS ENTITY <input type="checkbox"/> NON PROFIT CORPORATION <input type="checkbox"/> SOLE PROPRIETORSHIP <input type="checkbox"/> FOR PROFIT CORPORATION <input type="checkbox"/> PARTNERSHIP <input type="checkbox"/> LIMITED LIABILITY COMPANY	4. STATE OF INCORPORATION (if applicable) _____
5. TAX IDENTIFICATION: FEDERAL TAX ID#: _____ STATE TAX ID#: _____	
6. GEOGRAPHIC AREA(S) APPLICANT IS TO SERVE <input type="checkbox"/> East Hawaii'I <input type="checkbox"/> Kaua'i <input type="checkbox"/> West Hawaii'I <input type="checkbox"/> Leeward O'ahu <input type="checkbox"/> Maui <input type="checkbox"/> Central O'ahu <input type="checkbox"/> Moloka'i <input type="checkbox"/> Windward O'ahu <input type="checkbox"/> Lanai <input type="checkbox"/> Honolulu	7. TARGET GROUP(S) APPLICANT IS ABLE TO SERVE <input type="checkbox"/> Infants and toddlers: 0-3 years of age <input type="checkbox"/> Children: 3-5 years of age <input type="checkbox"/> Children: 5-10 years of age <input type="checkbox"/> Adolescents: 10-18 years of age <input type="checkbox"/> Adolescents & Adults: 18-21 years of age <input type="checkbox"/> Adults: 21-59+ years of age <input type="checkbox"/> Elders: 60+ years of age <input type="checkbox"/> Families <input type="checkbox"/> Other: _____
8. FUNDING REQUEST: FY _____ \$ _____ FY _____ \$ _____ FY _____ \$ _____ FY _____ \$ _____ TOTAL \$ _____	9. BUSINESS STATUS QUALIFICATION: <input type="checkbox"/> Application is registered with the state procurements Office. <input type="checkbox"/> Applicant is not preregistered – form SPO-H-100A and required documentation is attached
TYPE NAME & TITLE OF AUTHORIZED REPRESENTATIVE <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div style="width: 40%; text-align: center;"> _____ Authorized Signature </div> <div style="width: 40%; text-align: center;"> _____ Name & Title </div> <div style="width: 20%; text-align: center;"> _____ Date </div> </div>	

PROPOSAL APPLICATION

I. Program Overview

II. Experience and Capability

- A. Necessary Skills
- B. Experience
- C. Quality Assurance and Evaluation
- D. Coordination of Services
- E. Facilities

III. Project Organization and Staffing

A. Staffing

- 1. Proposed Staffing.
- 2. Staff Qualifications

B. Project Organization

- 1. Supervision and Training
- 2. Organization Chart (Program & Organization-wide - attached)

IV. Service Delivery

V. Financial

A. Pricing Structure

The following budget form(s) are submitted with the Proposal Application:

- 1. SPO-H-205 Proposal Budget for FY 2012, 2013, 2014, 2015
- 2. SPO-H-206A Budget Justification - Personnel: Salaries & Wages
- 3. SPO-H-206B Budget Justification - Personnel: Payroll Taxes and Assessments, and Fringe Benefits
- 4. SPO-H-206C Budget Justification - Travel: Interisland
- 5. SPO-H-206E Budget Justification - Contractual Services - Administrative

B. Other Financial Related Materials

- 1. Financial Audit for fiscal year ended June 30, 2010.

VI. Other

A. Litigation

B. Performance and Output Measurement Tables

C. Program Specific Requirements

Proposal Application
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	C. Quality Assurance and Evaluation	5
	D. Coordination of Services	6
	E. Facilities	6
3.0	Project Organization and Staffing	7
	A. Staffing	7
	1. Proposed Staffing	7
	2. Staff Qualifications	9
	B. Project Organization	10
	1. Supervision and Training	10
	2. Organization Chart (Program & Organization-wide) (See Attachments for Organization Charts)	
4.0	Service Delivery	12
5.0	Financial	20
	See Attachments for Cost Proposal	
6.0	Litigation	20
7.0	Attachments	
	A. Cost Proposal	
	SPO-H-205 Proposal Budget	
	SPO-H-206A Budget Justification - Personnel: Salaries & Wages	
	SPO-H-206B Budget Justification - Personnel: Payroll Taxes and Assessments, and Fringe Benefits	
	SPO-H-206C Budget Justification - Travel: Interisland	
	SPO-H-206E Budget Justification - Contractual Services – Administrative	
	B. Other Financial Related Materials	
	Financial Audit for fiscal year ended June 30, 1996	
	C. Organization Chart	
	Program	
	Organization-wide	
	D. Performance and Output Measurement Tables	
	Table A	
	Table B	
	Table C	
	Program Specific Requirements	

Attachment C

General Conditions

&

Special Conditions

GENERAL CONDITIONS FOR HEALTH & HUMAN SERVICES CONTRACTS

1. Representations and Conditions Precedent

1.1 Contract Subject to the Availability of State and Federal Funds.

1.1.1 State Funds. This Contract is, at all times, subject to the appropriation and allotment of state funds, and may be terminated without liability to either the PROVIDER or the STATE in the event that state funds are not appropriated or available.

1.1.2 Federal Funds. To the extent that this Contract is funded partly or wholly by federal funds, this Contract is subject to the availability of such federal funds. The portion of this Contract that is to be funded federally shall be deemed severable, and such federally funded portion may be terminated without liability to either the PROVIDER or the STATE in the event that federal funds are not available. In any case, this Contract shall not be construed to obligate the STATE to expend state funds to cover any shortfall created by the unavailability of anticipated federal funds.

1.2 Representations of the PROVIDER. As a necessary condition to the formation of this Contract, the PROVIDER makes the representations contained in this paragraph, and the STATE relies upon such representations as a material inducement to entering into this Contract.

1.2.1 Compliance with Laws. As of the date of this Contract, the PROVIDER complies with all federal, state, and county laws, ordinances, codes, rules, and regulations, as the same may be amended from time to time, that in any way affect the PROVIDER's performance of this Contract.

1.2.2 Licensing and Accreditation. As of the date of this Contract, the PROVIDER holds all licenses and accreditations required under applicable federal, state, and county laws, ordinances, codes, rules, and regulations to provide the Required Services under this Contract.

1.3 Compliance with Laws. The PROVIDER shall comply with all federal, state, and county laws, ordinances, codes, rules, and regulations, as the same may be amended from time to time, that in any way affect the PROVIDER's performance of this Contract, including but not limited to the laws specifically enumerated in this paragraph:

1.3.1 Smoking Policy. The PROVIDER shall implement and maintain a written smoking policy as required by Chapter 328K, Hawaii Revised Statutes (HRS), or its successor provision.

1.3.2 Drug Free Workplace. The PROVIDER shall implement and maintain a drug free workplace as required by the Drug Free Workplace Act of 1988.

- 1.3.3 Persons with Disabilities. The PROVIDER shall implement and maintain all practices, policies, and procedures required by federal, state, or county law, including but not limited to the Americans with Disabilities Act (42 U.S.C. §12101, et seq.), and the Rehabilitation Act (29 U.S.C. §701, et seq.).
- 1.3.4 Nondiscrimination. No person performing work under this Contract, including any subcontractor, employee, or agent of the PROVIDER, shall engage in any discrimination that is prohibited by any applicable federal, state, or county law.
- 1.4 Insurance Requirements. The PROVIDER shall obtain from a company authorized by law to issue such insurance in the State of Hawai'i commercial general liability insurance ("liability insurance") in an amount of at least TWO MILLION AND NO/100 DOLLARS (\$2,000,000.00) coverage for bodily injury and property damage resulting from the PROVIDER's performance under this Contract. The PROVIDER shall maintain in effect this liability insurance until the STATE certifies that the PROVIDER's work under the Contract has been completed satisfactorily.
- The liability insurance shall be primary and shall cover the insured for all work to be performed under the Contract, including changes, and all work performed incidental thereto or directly or indirectly connected therewith.
- A certificate of the liability insurance shall be given to the STATE by the PROVIDER. The certificate shall provide that the STATE and its officers and employees are Additional Insureds. The certificate shall provide that the coverages being certified will not be cancelled or materially changed without giving the STATE at least 30 days prior written notice by registered mail.
- Should the "liability insurance" coverages be cancelled before the PROVIDER's work under the Contract is certified by the STATE to have been completed satisfactorily, the PROVIDER shall immediately procure replacement insurance that complies in all respects with the requirements of this section.
- Nothing in the insurance requirements of this Contract shall be construed as limiting the extent of PROVIDER's responsibility for payment of damages resulting from its operations under this Contract, including the PROVIDER's separate and independent duty to defend, indemnify, and hold the STATE and its officers and employees harmless pursuant to other provisions of this Contract.
- 1.5 Notice to Clients. Provided that the term of this Contract is at least one year in duration, within 180 days after the effective date of this Contract, the PROVIDER shall create written procedures for the orderly termination of services to any clients receiving the Required Services under this Contract, and for the transition to services supplied by another provider upon termination of this Contract, regardless of the circumstances of such termination. These procedures shall include, at

the minimum, timely notice to such clients of the termination of this Contract, and appropriate counseling.

- 1.6 Reporting Requirements. The PROVIDER shall submit a Final Project Report to the STATE containing the information specified in this Contract if applicable, or otherwise satisfactory to the STATE, documenting the PROVIDER's overall efforts toward meeting the requirements of this Contract, and listing expenditures actually incurred in the performance of this Contract. The PROVIDER shall return any unexpended funds to the STATE.
- 1.7 Conflicts of Interest. In addition to the Certification provided in the Standards of Conduct Declaration to this Contract, the PROVIDER represents that neither the PROVIDER nor any employee or agent of the PROVIDER, presently has any interest, and promises that no such interest, direct or indirect, shall be acquired, that would or might conflict in any manner or degree with the PROVIDER's performance under this Contract.

2. Documents and Files

- 2.1 Confidentiality of Material.
- 2.1.1 Proprietary or Confidential Information. All material given to or made available to the PROVIDER by virtue of this Contract that is identified as proprietary or confidential information shall be safeguarded by the PROVIDER and shall not be disclosed to any individual or organization without the prior written approval of the STATE.
- 2.1.2 Uniform Information Practices Act. All information, data, or other material provided by the PROVIDER to the STATE shall be subject to the Uniform Information Practices Act, chapter 92F, HRS, and any other applicable law concerning information practices or confidentiality.
- 2.2 Ownership Rights and Copyright. The STATE shall have complete ownership of all material, both finished and unfinished that is developed, prepared, assembled, or conceived by the PROVIDER pursuant to this Contract, and all such material shall be considered "works made for hire." All such material shall be delivered to the STATE upon expiration or termination of this Contract. The STATE, in its sole discretion, shall have the exclusive right to copyright any product, concept, or material developed, prepared, assembled, or conceived by the PROVIDER pursuant to this Contract.
- 2.3 Records Retention. The PROVIDER and any subcontractors shall maintain the books and records that relate to the Contract, and any cost or pricing data for three (3) years from the date of final payment under the Contract. In the event that any litigation, claim, investigation, audit, or other action involving the records retained under this provision arises, then such records shall be retained for three (3) years from the date of final payment, or the date of the resolution of the action, whichever occurs later. During the period that records are retained under this section, the

PROVIDER and any subcontractors shall allow the STATE free and unrestricted access to such records.

3. Relationship between Parties

- 3.1 Coordination of Services by the STATE. The STATE shall coordinate the services to be provided by the PROVIDER in order to complete the performance required in the Contract. The PROVIDER shall maintain communications with the STATE at all stages of the PROVIDER's work, and submit to the STATE for resolution any questions which may arise as to the performance of this Contract.
- 3.2 Subcontracts and Assignments. The PROVIDER may assign or subcontract any of the PROVIDER's duties, obligations, or interests under this Contract, but only if (i) the PROVIDER obtains the prior written consent of the STATE and (ii) the PROVIDER's assignee or subcontractor submits to the STATE a tax clearance certificate from the Director of Taxation, State of Hawai'i, and the Internal Revenue Service showing that all delinquent taxes, if any, levied or accrued under state law against the PROVIDER's assignee or subcontractor have been paid. Additionally, no assignment by the PROVIDER of the PROVIDER's right to compensation under this Contract shall be effective unless and until the assignment is approved by the Comptroller of the State of Hawai'i, as provided in section 40-58, HRS.
- 3.3 Change of Name. When the PROVIDER asks to change the name in which it holds this Contract, the STATE, shall, upon receipt of a document acceptable or satisfactory to the STATE indicating such change of name such as an amendment to the PROVIDER's articles of incorporation, enter into an amendment to this Contract with the PROVIDER to effect the change of name. Such amendment to this Contract changing the PROVIDER's name shall specifically indicate that no other terms and conditions of this Contract are thereby changed, unless the change of name amendment is incorporated with a modification or amendment to the Contract under paragraph 4.1 of these General Conditions.
- 3.4 Independent Contractor Status and Responsibilities, Including Tax Responsibilities.
- 3.4.1 Independent Contractor. In the performance of services required under this Contract, the PROVIDER is an "independent contractor," with the authority and responsibility to control and direct the performance and details of the work and services required under this Contract; however, the STATE shall have a general right to inspect work in progress to determine whether, in the STATE's opinion, the services are being performed by the PROVIDER in compliance with this Contract.
- 3.4.2 Contracts with Other Individuals and Entities. Unless otherwise provided by special condition, the STATE shall be free to contract with other individuals and entities to provide services similar to those performed by the Provider under this Contract, and the

PROVIDER shall be free to contract to provide services to other individuals or entities while under contract with the STATE.

3.4.3 PROVIDER's Employees and Agents. The PROVIDER and the PROVIDER's employees and agents are not by reason of this Contract, agents or employees of the State for any purpose. The PROVIDER and the PROVIDER's employees and agents shall not be entitled to claim or receive from the STATE any vacation, sick leave, retirement, workers' compensation, unemployment insurance, or other benefits provided to state employees. Unless specifically authorized in writing by the STATE, the PROVIDER and the PROVIDER's employees and agents are not authorized to speak on behalf and no statement or admission made by the PROVIDER or the PROVIDER's employees or agents shall be attributed to the STATE, unless specifically adopted by the STATE in writing.

3.4.4 PROVIDER's Responsibilities. The PROVIDER shall be responsible for the accuracy, completeness, and adequacy of the PROVIDER's performance under this Contract.

Furthermore, the PROVIDER intentionally, voluntarily, and knowingly assumes the sole and entire liability to the PROVIDER's employees and agents, and to any individual not a party to this Contract, for all loss, damage, or injury caused by the PROVIDER, or the PROVIDER's employees or agents in the course of their employment.

The PROVIDER shall be responsible for payment of all applicable federal, state, and county taxes and fees which may become due and owing by the PROVIDER by reason of this Contract, including but not limited to (i) income taxes, (ii) employment related fees, assessments, and taxes, and (iii) general excise taxes. The PROVIDER also is responsible for obtaining all licenses, permits, and certificates that may be required in order to perform this Contract.

The PROVIDER shall obtain a general excise tax license from the Department of Taxation, State of Hawai'i, in accordance with section 237-9, HRS, and shall comply with all requirements thereof. The PROVIDER shall obtain a tax clearance certificate from the Director of Taxation, State of Hawai'i, and the Internal Revenue Service showing that all delinquent taxes, if any, levied or accrued under state law against the PROVIDER have been paid and submit the same to the STATE prior to commencing any performance under this Contract. The PROVIDER shall also be solely responsible for meeting all requirements necessary to obtain the tax clearance certificate required for final payment under section 103-53, HRS, and these General Conditions.

The PROVIDER is responsible for securing all employee-related insurance coverage for the PROVIDER and the PROVIDER's employees and agents that is or may be required by law, and for payment of all premiums, costs, and other liabilities associated with securing the insurance coverage.

3.5 Personnel Requirements.

3.5.1 Personnel. The PROVIDER shall secure, at the PROVIDER's own expense, all personnel required to perform this Contract, unless otherwise provided in this Contract.

3.5.2 Requirements. The PROVIDER shall ensure that the PROVIDER's employees or agents are experienced and fully qualified to engage in the activities and perform the services required under this Contract, and that all applicable licensing and operating requirements imposed or required under federal, state, or county law, and all applicable accreditation and other standards of quality generally accepted in the field of the activities of such employees and agents are complied with and satisfied.

4. Modification and Termination of Contract

4.1 Modification of Contract.

4.1.1 In Writing. Any modification, alteration, amendment, change, or extension of any term, provision, or condition of this Contract permitted by this Contract shall be made by written amendment to this Contract, signed by the PROVIDER and the STATE.

4.1.2 No Oral Modification. No oral modification, alteration, amendment, change, or extension of any term, provision or condition of this Contract shall be permitted.

4.1.3 Tax Clearance. The STATE may, at its discretion, require the PROVIDER to submit to the STATE, prior to the STATE's approval of any modification, alteration, amendment, change, or extension of any term, provision, or condition of this Contract, a tax clearance from the Director of Taxation, State of Hawai'i, and the Internal Revenue Service showing that all delinquent taxes, if any, levied or accrued under state and federal law against the PROVIDER have been paid.

4.2 Termination in General. This Contract may be terminated in whole or in part because of a reduction of funds available to pay the PROVIDER, or when, in its sole discretion, the STATE determines (i) that there has been a change in the conditions upon which the need for the Required Services was based, or (ii) that the PROVIDER has failed to provide the Required Services adequately or satisfactorily, or (iii) that other good cause for the whole or partial termination of this Contract exists. Termination under this section shall be made by a written notice sent to the PROVIDER ten (10) working days prior to the termination date that includes a brief statement of the reason for the termination. If the Contract is terminated under this paragraph, the PROVIDER shall cooperate with the STATE to effect an orderly transition of services to clients.

- 4.3 Termination for Necessity or Convenience. If the STATE determines, in its sole discretion, that it is necessary or convenient, this Contract may be terminated in whole or in part at the option of the STATE upon ten (10) working days' written notice to the PROVIDER. If the STATE elects to terminate under this paragraph, the PROVIDER shall be entitled to reasonable payment as determined by the STATE for satisfactory services rendered under this Contract up to the time of termination. If the STATE elects to terminate under this section, the PROVIDER shall cooperate with the STATE to effect an orderly transition of services to clients.
- 4.4 Termination by PROVIDER. The PROVIDER may withdraw from this Contract after obtaining the written consent of the STATE. The STATE, upon the PROVIDER's withdrawal, shall determine whether payment is due to the PROVIDER, and the amount that is due. If the STATE consents to a termination under this paragraph, the PROVIDER shall cooperate with the STATE to effect an orderly transition of services to clients.
- 4.5 STATE's Right of Offset. The STATE may offset against any monies or other obligations that STATE owes to the PROVIDER under this Contract, any amounts owed to the State of Hawai'i by the PROVIDER under this Contract, or any other contract, or pursuant to any law or other obligation owed to the State of Hawai'i by the PROVIDER, including but not limited to the payment of any taxes or levies of any kind or nature. The STATE shall notify the PROVIDER in writing of any exercise of its right of offset and the nature and amount of such offset. For purposes of this paragraph, amounts owed to the State of Hawai'i shall not include debts or obligations which have been liquidated by contract with the PROVIDER, and that are covered by an installment payment or other settlement plan approved by the State of Hawai'i, provided, however, that the PROVIDER shall be entitled to such exclusion only to the extent that the PROVIDER is current, and in compliance with, and not delinquent on, any payments, obligations, or duties owed to the State of Hawai'i under such payment or other settlement plan.

5. Indemnification

- 5.1 Indemnification and Defense. The PROVIDER shall defend, indemnify, and hold harmless the State of Hawai'i, the contracting agency, and their officers, employees, and agents from and against any and all liability, loss, damage, cost, expense, including all attorneys' fees, claims, suits, and demands arising out of or in connection with the acts or omissions of the PROVIDER or the PROVIDER's employees, officers, agents, or subcontractors under this Contract. The provisions of this paragraph shall remain in full force and effect notwithstanding the expiration or early termination of this Contract.
- 5.2 Cost of Litigation. In case the STATE shall, without any fault on its part, be made a party to any litigation commenced by or against the PROVIDER in connection with this Contract, the PROVIDER shall pay any cost and expense incurred by or imposed on the STATE, including attorneys' fees.

6. Publicity

- 6.1 Acknowledgment of State Support. The PROVIDER shall, in all news releases, public statements, announcements, broadcasts, posters, programs, computer postings, and other printed, published, or electronically disseminated materials relating to the PROVIDER's performance under this Contract, acknowledge the support by the State of Hawai'i and the purchasing agency.
- 6.2 PROVIDER's Publicity Not Related to Contract. The PROVIDER shall not refer to the STATE, or any office, agency, or officer thereof, or any state employee, or to the services or goods, or both provided under this Contract, in any of the PROVIDER's publicity not related to the PROVIDER's performance under this Contract, including but not limited to commercial advertisements, recruiting materials, and solicitations for charitable donations.

7. Miscellaneous Provisions

- 7.1 Nondiscrimination. No person performing work under this Contract, including any subcontractor, employee, or agent of the PROVIDER, shall engage in any discrimination that is prohibited by any applicable federal, state, or county law.
- 7.2 Paragraph Headings. The paragraph headings appearing in this Contract have been inserted for the purpose of convenience and ready reference. They shall not be used to define, limit, or extend the scope or intent of the sections to which they pertain.
- 7.3 Antitrust Claims. The STATE and the PROVIDER recognize that in actual economic practice, overcharges resulting from antitrust violations are in fact usually borne by the purchaser. Therefore, the PROVIDER hereby assigns to the STATE any and all claims for overcharges as to goods and materials purchased in connection with this Contract, except as to overcharges which result from violations commencing after the price is established under this Contract and which are not passed on to the STATE under an escalation clause.
- 7.4 Governing Law. The validity of this Contract and any of its terms or provisions, as well as the rights and duties of the parties to this Contract, shall be governed by the laws of the State of Hawai'i. Any action at law or in equity to enforce or interpret the provisions of this Contract shall be brought in a state court of competent jurisdiction in Honolulu, Hawai'i.
- 7.5 Conflict between General Conditions and Procurement Rules. In the event of a conflict between the General Conditions and the Procurement Rules or a Procurement Directive, the Procurement Rules or any Procurement Directive in effect on the date this Contract became effective shall control and are hereby incorporated by reference.
- 7.6 Entire Contract. This Contract sets forth all of the contracts, conditions, understandings, promises, warranties, and representations between the STATE and the PROVIDER relative to this Contract. This Contract supersedes all prior agreements, conditions, understandings,

promises, warranties, and representations, which shall have no further force or effect. There are no contracts, conditions, understandings, promises, warranties, or representations, oral or written, express or implied, between the STATE and the PROVIDER other than as set forth or as referred to herein.

- 7.7 Severability. In the event that any provision of this Contract is declared invalid or unenforceable by a court, such invalidity or unenforceability shall not affect the validity or enforceability of the remaining terms of this Contract.
- 7.8 Waiver. The failure of the STATE to insist upon the strict compliance with any term, provision, or condition of this Contract shall not constitute or be deemed to constitute a waiver or relinquishment of the STATE's right to enforce the same in accordance with this Contract. The fact that the STATE specifically refers to one provision of the Procurement Rules or one section of the Hawai'i Revised Statutes, and does not include other provisions or statutory sections in this Contract shall not constitute a waiver or relinquishment of the STATE's rights or the PROVIDER's obligations under the Procurement Rules or statutes.
- 7.9 Execution in Counterparts. This Contract may be executed in several counterparts, each of which shall be regarded as an original and all of which shall constitute one instrument.

8. Confidentiality of Personal Information

8.1 Definitions.

8.1.1 Personal Information. "Personal Information" means an individual's first name or first initial and last name in combination with any one or more of the following data elements, when either name or data elements are not encrypted:

- 1) Social Security number;
- 2) Driver's license number or Hawaii identification card number; or
- 3) Account number, credit or debit card number, access code, or password that would permit access to an individual's financial information.

Personal information does not include publicly available information that is lawfully made available to the general public from federal, state, or local government records.

8.1.2 Technological Safeguards. "Technological safeguards" means the technology and the policy and procedures for use of the technology to protect and control access to personal information.

8.2 Confidentiality of Material.

8.2.1 Safeguarding of Material. All material given to or made available to the PROVIDER by the STATE by virtue of this Contract which is identified as personal information, shall be safeguarded by the PROVIDER and shall not be disclosed without the prior written approval of the STATE.

8.2.2 Retention, Use, or Disclosure. PROVIDER agrees not to retain, use, or disclose personal information for any purpose other than as permitted or required by this Contract.

8.2.3 Implementation of Technological Safeguards. PROVIDER agrees to implement appropriate “technological safeguards” that are acceptable to the STATE to reduce the risk of unauthorized access to personal information.

8.2.4 Reporting of Security Breaches. PROVIDER shall report to the STATE in a prompt and complete manner any security breaches involving personal information.

8.2.5 Mitigation of Harmful Effect. PROVIDER agrees to mitigate, to the extent practicable, any harmful effect that is known to PROVIDER because of a use or disclosure of personal information by PROVIDER in violation of the requirements of this paragraph.

8.2.6 Log of Disclosures. PROVIDER shall complete and retain a log of all disclosures made of personal information received from the STATE, or personal information created or received by PROVIDER on behalf of the STATE.

8.3 Security Awareness Training and Confidentiality Agreements.

8.3.1 Certification of Completed Training. PROVIDER certifies that all of its employees who will have access to the personal information have completed training on security awareness topics related to protecting personal information.

8.3.2 Certification of Confidentiality Agreements. PROVIDER certifies that confidentiality agreements have been signed by all of its employees who will have access to the personal information acknowledging that:

- 1) The personal information collected, used, or maintained by the PROVIDER will be treated as confidential;
- 2) Access to the personal information will be allowed only as necessary to perform the Contract; and
- 3) Use of the personal information will be restricted to uses consistent with the services subject to this Contract.

8.4 Termination for Cause. In addition to any other remedies provided for by this Contract, if the STATE learns of a material breach by PROVIDER of this paragraph by PROVIDER, the STATE may at its sole discretion:

- 1) Provide an opportunity for the PROVIDER to cure the breach or end the violation; or
- 2) Immediately terminate this Contract.

In either instance, the PROVIDER and the STATE shall follow chapter 487N, HRS, with respect to notification of a security breach of personal information.

8.5 Records Retention.

8.5.1 Destruction of Personal Information. Upon any termination of this Contract, PROVIDER shall, pursuant to chapter 487R, HRS, destroy all copies (paper or electronic form) of personal information received from the STATE.

8.5.2 Maintenance of Files, Books, Records. The PROVIDER and any subcontractors shall maintain the files, books, and records, that relate to the Contract, including any personal information created or received by the PROVIDER on behalf of the STATE, and any cost or pricing data, for three (3) years after the date of final payment under the Contract. The personal information shall continue to be confidential and shall not be disclosed without the prior written approval of the STATE. After the three (3) year retention period has ended, the files, books, and records that contain personal information shall be destroyed pursuant to chapter 487R, HRS.

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SPECIAL CONDITIONS

1. The Provider shall conduct a State and Federal fingerprint- based criminal history record check for any person, including, but not limited to any officer, employee, volunteer or subcontractor, who performs work or services which necessitates close proximity to or unsupervised access to vulnerable clients such as children, disabled, and/or the elderly , or other program related vulnerable clients . In addition, the Provider will conduct a search of the State and National Sex Offender Registries, <http://sexoffenders.ehawaii.gov> (State Sex Offender Registry) and the www.nsopr.gov (National Sex Offender Public Registry). The minimum record check will be conducted once every four years for each person, and/or at the outset of the contract period if such checks have never been conducted. Further, the Provider will ensure the continued suitability of any officer, employee, volunteer or subcontractor to work or provide services to vulnerable clients. Results of all criminal history and sex offender registry record checks shall be maintained by the applicant and shall be available for the Judiciary to review. The Provider further shall have a written plan for addressing any findings that result from a criminal history record check that may affect the treatment milieu (e.g. actively under the supervision of any criminal justice agency, convicted sex offenders). The Provider shall ensure that any officer, employee, volunteer or subcontractor is suitable to be performing work or services in close proximity to or with unsupervised access to children, disabled, and/or elderly clients will be of reputable and responsible character and will not pose a risk to the health, safety, security, or well-being of clients, staff and the general public.
2. Pursuant to HRS 321C-3, to ensure compliance with Title VI, Providers must take reasonable steps to ensure that Limited English Proficient persons have meaningful access to the Provider's programs. Meaningful access may entail providing language assistance services, including oral and written translation, where necessary.
3. Insurance. In addition to Paragraph 1.4, Insurance, General Conditions, the PROVIDER further agrees to the following:

In order to protect the PROVIDER as well as the State of Hawaii, the STATE, and their officers and employees covered under the indemnification provision in this Contract, the PROVIDER shall obtain and keep in force throughout the period of this Contract the following automobile insurance:

Automobile liability insurance for automobiles owned or leased by the PROVIDER and used to carry out services specified in this Contract shall be obtained from a company authorized to do business in the State, or meet Section 431:8-301, Hawaii Revised Statutes if utilizing an insurance company not licensed by the State of Hawaii, and complying with the Hawaii No Fault Insurance Law. The combined amount shall be at least ONE MILLION AND NO/100 DOLLARS (\$1,000,000.00) with respect to bodily injury and to property damage. The PROVIDER's policy shall name the STATE, the

State of Hawaii, and their officers and employees as additional insured. Prior to or upon execution of this Contract, the PROVIDER shall furnish the STATE with a Certificate of Insurance, verifying the existence of such insurance. Such certificate shall also expressly provide that such insurance shall not be canceled unless the insurance company has first given to the STATE thirty (30) calendar days' written notice of the intended cancellation.

An umbrella policy may be utilized as applicable to the Provider's insurance policy.

If the PROVIDER is authorized by the STATE to subcontract, subcontractor(s) is not excused from the Indemnification and/or Insurance provisions of this Contract. The PROVIDER agrees to require its subcontractor(s) to obtain insurance in order to indemnify the STATE.

Failure of the PROVIDER to provide and keep in force such insurance shall be regarded as material default under this Contract, entitling the STATE to exercise any or all of the remedies provided in this Contract for default of the PROVIDER.

The procuring of such required policy or policies of insurance shall not be construed to limit the PROVIDER's liability hereunder nor to fulfill the indemnification provisions and requirements of this Contract. Notwithstanding said policy or policies of insurance, the PROVIDER shall be obliged for the full and total amount of any damage, injury, or loss caused by the negligent act or omission of the PROVIDER or its authorized representatives.

HAWAII JUDICIARY POLICY DISCRIMINATION/HARASSMENT-FREE WORKPLACE

I. Authority and Background

The Judiciary is committed to promoting and maintaining a productive work environment free of any form of discrimination and harassment. The Judiciary does not tolerate workplace discrimination or harassment. The Judiciary will take appropriate action when discrimination or harassment is based on a person's "protected class." The Judiciary will act to curb protected class discrimination or harassment without regard to its severity or pervasiveness and does not require that discrimination or harassment rise to the level of unlawfulness before taking action.

II. Zero Tolerance Policy

Judiciary employees are expected to avoid behavior that could reasonably be perceived as discrimination or harassment prohibited under this policy. The Judiciary will take appropriate action when discrimination or harassment is based on a person's race, color, sex, including gender identity or expression,¹ sexual orientation, condition of pregnancy, act of breastfeeding or expressing milk, religion, national origin, ancestry, age, disability, genetic information,² marital status, arrest and court record, income assignment for child support, national guard absence, uniformed service, veteran status, citizenship, credit history or credit report unless directly related to a bona fide occupational qualification, or domestic or sexual violence victim status if the domestic or sexual violence victim provides notice to the victim's employer of such status or the employer has actual knowledge of such status (*protected class discrimination*).

¹ "Gender identity or expression" includes a person's actual or perceived gender, as well as a person's gender identity (including transgender), gender-related self-image, gender-related appearance, or gender-related expression, regardless of whether that gender identity, gender-related self-image, gender-related appearance, or gender-related expression is different from that traditionally associated with the person's sex assigned at birth. "Transgender" refers to a person whose sex assigned at birth is different from their self-identified gender (e.g. a person whose sex assigned at birth is male who identifies as female and/or a person whose sex assigned at birth is female who identifies as male). A transgender person does not have to have undergone medical treatment or surgical procedures to be protected under the Policy. An individual's self-declaration of gender is sufficient to be provided protection under the Policy.

² "Genetic information" includes information about an individual's genetic tests and the genetic tests of an individual's family members, as well as information about any disease, disorder, or condition of an individual's family members (i.e., an individual's family medical history). Family medical history is included in the definition of "genetic information" because it is often used to determine whether someone has an increased risk of getting a disease, disorder, or condition in the future.

A. Scope of Policy

This policy applies to all employees, justices and judges, volunteers, applicants for employment, and persons or entities providing services to the Judiciary, whether on a contract, per diem, full or part-time basis. This policy covers all interactions with staff, clients, and the public.

All Judiciary employees are responsible for ensuring that work in the courts and court-related programs is conducted in an atmosphere that respects the dignity of every Judiciary employee, and people with whom the Judiciary conducts business.

B. Examples of Prohibited Conduct

1. It is a violation of this policy to engage in protected class discrimination.
2. Discrimination or harassment prohibited under this policy includes, but is not limited to, oral, written, physical or visual behavior, that offends, demeans, or intimidates, or refusing to provide services and/or denying access to Judiciary facilities and/or programs, based on a person's status in a protected class.
3. Protected class characteristics may not be used as a basis for taking employment action or making an employment decision that results in an adverse change in benefits, or terms and conditions of employment.
4. Other harassing or offensive conduct directed at individuals based on protected class characteristics is prohibited under this policy, and includes, but is not limited to:
 - a. Unwanted physical contact, sexually suggestive or offensive touching, patting, hugging, or brushing against a person's clothing or body, pinching, or hitting;
 - b. Sexual advances, requests for sexual favors, repeated and unwanted attempts at a romantic relationship, sexually explicit questions, comments about physical attributes;
 - c. Lewd comments, sexual jokes, pressure for sexual activity, such as repeated requests for dates, and threats for refusing a sexual advance;
 - d. Displays of demeaning, insulting, or sexually suggestive objects, pictures, or photographs;

- e. Demeaning, insulting, intimidating, or sexually suggestive, written, recorded, or electronically transmitted messages (such as e-mail, voicemail, and Internet materials);
 - f. Offensive comments, slurs, jokes, profanity, anecdotes, offensive and/or inappropriate questions or statements to, about or regarding any protected class;
 - g. Refusal to address a person by their preferred name, provided that such name shall not be used when deemed to be inappropriate for a business setting; and
 - h. Disregarding a person's preferences based on his or her self-identified gender. This may include, but is not limited to, failing to address a person by his or her preferred name and/or pronoun, not allowing a person to use the restroom and/or locker room of his or her self-identified gender or limiting a person to using facilities that are an unreasonable distance or travel time from the worksite or Judiciary program location because the individual is transgender, requiring a transgender person to follow procedures that conflict with the person's self-identified gender, refusing to provide services and/or denying access to Judiciary facilities and/or programs based on the person's self-identified gender and/or being transgender.
5. Retaliation: The Judiciary encourages reporting of incidents of discrimination, harassment or retaliation. Retaliation against an individual who makes a complaint, participates in an investigation, or provides information, is prohibited. A person who experiences retaliatory action after taking the following actions should report the matter to the investigator in charge of the complaint or the Equal Employment Opportunity (EEO) Officer:
- a. Making a complaint of harassment or discrimination;
 - b. Making a disability related request for reasonable accommodation; or
 - c. Participating in a complaint investigation.

C. Reporting Procedures

The Judiciary encourages employees to report discrimination and/or harassment before it becomes severe or pervasive so that steps may be taken to stop the harassment before it rises to the level of unlawful behavior.

Anyone who observes or experiences discrimination or harassment prohibited

under this policy is encouraged, if at all possible, to make it clear to the offender that he or she finds such behavior offensive. The incidents should also be reported to an immediate supervisor, other supervisory personnel, a program or court administrator, or the EEO Officer who after reviewing the complaint will determine the appropriate follow-up. Employees are not required to report a complaint to their immediate supervisor or to make a complaint to the offender.

While this section describes the general procedures for reporting complaints of discrimination, harassment or retaliation in the workplace, more specific procedural information is attached to this policy as Attachment 1 and describes, in detail, how to report a complaint, including how to report a complaint to an external agency. Regardless of how the complaint is made, all complaints will be taken seriously and investigated promptly.

D. Limited Confidentiality

The Judiciary shall, to the extent possible, protect the confidentiality of substantiated and unsubstantiated discrimination, harassment and retaliation reports and investigations. Information regarding reports and investigations shall be shared with appropriate individuals and agencies on a "need to know" basis, with due consideration for safety, security, and other interests.

III. Responsibility for Implementing Policy

Judges, chief court administrators and department heads shall ensure that this policy is implemented and enforced within their own courtrooms and programs.

A violation of this policy may result in disciplinary action, up to and including discharge.

IV. Review of Policy

This policy was established in 1998 and amended in 2000, 2007, 2012, and 2017.

Approved: 
Rodney A. Maile
Administrative Director of the Courts

Date: MAY 20 2017

Attachment 1

PROCEDURES FOR REPORTING DISCRIMINATION, HARASSMENT, OR RETALIATION IN THE WORKPLACE

I. Procedures

The Judiciary urges the reporting of any incidents of discrimination, harassment, or retaliation, regardless of the identity of the alleged offender. Anyone who observes or experiences discrimination or harassment prohibited under the Discrimination/Harassment-Free Workplace Policy is encouraged, if at all possible, to make it clear to the offender that he or she finds such behavior offensive. Conduct that violates the Discrimination/Harassment-Free Workplace Policy should also be reported to an immediate supervisor, other supervisory personnel, a program or court administrator, or the Equal Employment Opportunity (EEO) Officer at 539-4336.

Employees are not required to report a complaint to their immediate supervisor or to make a complaint to the offender.

A complaint or report may be made either orally or in writing (a complaint form is available through the EEO Officer). A complaint or report, whether oral or written, should include: name of the alleged offender(s), including position and department, if known, a summary of the offensive acts, with the dates, times and places of the incidents, the names of witnesses to the events, and copies of documents, if any, that support the complaint or report.

II. Limited Confidentiality

The Judiciary shall, to the extent possible, protect the confidentiality of substantiated and unsubstantiated discrimination, harassment and retaliation reports and investigations. Information regarding reports and investigations shall be shared with appropriate individuals and agencies on a "need to know" basis, with due consideration for safety, security, and other interests.

III. Action Taken on Complaints

All complaints will be investigated promptly. The Judiciary may take appropriate interim action while an investigation is pending, including placing the accused person on leave or temporary assignment.

If the Judiciary finds that an employee violated the Discrimination/Harassment-Free Workplace Policy, the Judiciary will take appropriate corrective action, up to and including discharge of the employee. If an investigation shows that a justice or judge violated the Discrimination/Harassment-Free Workplace Policy, the matter shall be referred to the Commission on Judicial Conduct, which has exclusive authority to take disciplinary action against justices and judges. If the person found to have violated the policy is not employed

by the Judiciary, other appropriate action shall be taken, including notice to the employer. If the person found to have violated the policy is a lawyer, the findings shall also be reported to the Office of Disciplinary Counsel.

IV. Referring Complaints to External Agencies

In addition to the procedures described above, complaints about discrimination, harassment, or retaliation in the workplace may also be reported to other appropriate agencies, including but not limited to, the federal Equal Employment Opportunity Commission, the Hawai'i Civil Rights Commission, and labor unions. Conduct by a justice or judge that violates the Discrimination/Harassment-Free Workplace Policy shall be reported to the Commission on Judicial Conduct and the Judicial Selection Commission.

Agencies may have time limitations for filing complaints. For example, complaints of unlawful discriminatory practices must be filed with the Hawai'i Civil Rights Commission no later than one hundred eighty (180) days, or with the Equal Employment Opportunity Commission no later than three hundred (300) days from the date of: (1) the alleged unlawful discriminatory act; or (2) the last occurrence of discrimination in a pattern of ongoing discriminatory conduct.

Persons wishing to file complaints with other agencies should contact that agency to obtain information on their specific procedures and should not wait for resolution of a complaint made to the employer, including the Judiciary. Contact information for other agencies are as follows:

Equal Employment Opportunity Commission
300 Ala Moana Boulevard, Room 7-127
P.O. Box 50082
Honolulu, Hawai'i 96850-0051
Telephone: 1-800-669-4000 info@eeoc.gov

Hawai'i Civil Rights Commission
830 Punchbowl Street, Room 411
Honolulu, Hawai'i 96813
Telephone: (808) 586-8636 DLIR.HCRC.INFO@hawaii.gov

Hawai'i Government Employees Association Headquarters
888 Mililani Street, Suite 401
Honolulu, Hawai'i 96813-2991
Telephone: (808) 536-2351 oahudiv@hgea.org

United Public Workers Headquarters
1426 North School Street
Honolulu, Hawai'i 96817
Telephone: (808) 847-2631

Office of Disciplinary Counsel
201 Merchant Street, Suite 1600
Honolulu, Hawai'i 96813
Telephone: (808) 521-4591

Commission on Judicial Conduct
426 Queen Street, Room 118
Honolulu, Hawai'i 96813-2914
Telephone: (808) 539-4790
judconduct.c.comm@courts.hawaii.gov

Judicial Selection Commission
417 South King Street
Honolulu, Hawai'i 96813-2902
Telephone: (808) 538-5200