



**Request for Proposals
TYC RFP#2007-31
TO PROVIDE FOR A RESIDENTIAL PROGRAM
FOR YOUNGER OFFENDERS**

The purpose of the Texas Youth Commission Request for Proposal (RFP) #2007-31 is to provide for a residential program for male or female younger juvenile offenders. Because of the importance of commencing services no earlier than July 1, 2007 and no later than October 31, 2007, existing facilities or programs are recommended.

I. BACKGROUND INFORMATION

The Texas Youth Commission (TYC), an agency of the State of Texas, is responsible for the care and custody of juveniles with delinquent conduct who have been committed to the agency by the courts. TYC operates training schools, halfway houses, and parole supervision and services. The agency also contracts with private individuals, agencies and organizations throughout the state to provide care and treatment for TYC youth.

Human Resources Code, §61.037 provides TYC with the authority to contract for services. TYC is issuing TYC RFP #2007-31 to contract for a residential program for male or female younger offenders.

TYC is seeking to provide a safe residential setting for male or female younger juvenile offenders who are between the ages of 10 through 13. The program should reflect as nearly as possible an environment that is developmentally appropriate to this age group. The program should be conducive to promoting positive behavioral changes in young juveniles. The program can be 48 beds or smaller located within the State of Texas. All aspects of the program should be designed to accommodate the developmental capabilities and needs of this younger population.

Applicants should note the following important deadlines and requirements:

TYC RFP #2007- 31 PRE AWARD SCHEDULE OF ACTIVITIES	
May 4, 2007	<ul style="list-style-type: none"> • Issue TYC RFP#2007-31
May 15, 2007	<ul style="list-style-type: none"> • Deadline for questions
May 18, 2007	<ul style="list-style-type: none"> • TYC responds to questions
June 4, 2007	<ul style="list-style-type: none"> • Deadline for submitting proposals
June 5, 2007 to June 8, 2007	<ul style="list-style-type: none"> • Phase I – Screening, Validation, and Reference Checks • Phase II – Evaluations
June 11, 2007 to June 15, 2007	<ul style="list-style-type: none"> • Phase III – Oral Presentations and On-Site Visits For top ranked applicants, negotiations, and opportunity to make best and final offer
On or before July 1, 2007	<ul style="list-style-type: none"> • Phase IV and V – Decision and Notification to Applicants
On or after July 1, 2007 and before October 31, 2007	<ul style="list-style-type: none"> • Commence services

II. GENERAL INFORMATION AND REQUIREMENTS

A. Contract Number and Name

The identifying number and title for this procurement will be **TYC RFP #2007- 31 To Provide for a Residential Program for Younger Offenders.**

B. Contracting Officer and Address

The Contracting Officer for TYC RFP #2007-31 will be Mark Higdon, Business Manager for Contract Care, Texas Youth Commission, P. O. Box 4260, 4900 North Lamar (78751), Austin, Texas 78765 (512-424-6031; FAX 512-424-6027). The contracting officer will be the point of contact throughout the RFP process.

C. Eligible Applicants

Eligible Applicants are public or private, nonprofit or for profit organizations or individuals that meet the following requirements:

1. Private nonprofit organizations shall be incorporated and maintain good standing as a nonprofit corporation. Nonprofit organizations receiving funds from TYC shall have a governing body or board that bears full responsibility for the integrity of the fiscal and programmatic management of the organization.
2. All management practices must include accountability for all funds and materials received from TYC; compliance with TYC rules, policies, and procedures and applicable federal and state laws and regulations; and correction of fiscal and program deficiencies identified through self-evaluation and TYC's monitoring processes.
3. Applicant shall be in good standing with any State or Federal agency that has a contracting relationship with the Applicant. Therefore, TYC will disqualify applicants that have had a contract for similar services with a State or Federal agency terminated within the last 12 months for deficiencies in performance of the contract. TYC reserves the right to disqualify an applicant for any other factor that played a role in terminating a contract with a State or Federal agency within the previous 36 months.
4. Applicants who qualify as Historically Underutilized Businesses (HUB) are encouraged to apply by submitting proof of registration as a HUB.

D. Notice of Intent to Submit Proposal

An Applicant is any eligible person that submits a proposal. Potential Applicants are requested to return the Notice of Intent, attached as Exhibit A, to the Contracting Officer for TYC RFP#2007-31 no later than 5:00 p.m. Central Daylight Time (C.D.T.) on May 11, 2007. This notice will ensure the name of the potential Applicant is placed on TYC's official mailing list to receive all future information regarding this RFP. Failure to provide this notice does not preclude an Applicant from submitting a proposal. However, the Applicant that fails to provide the notice waives all rights to protest any alleged claim it may have incurred by virtue of not receiving subsequent information regarding this RFP.

E. Withhold Proposal Award

TYC reserves the right to withhold a proposal award and to terminate its obligations under contract in the event that TYC is not granted funding to pay for this program.

F. Proposals Subject to Public Information Act

Proposals submitted by the Applicants in response to a request for proposals are subject to the Public Information Act, Chapter 552, Government Code. The proposals become public documents that are available for inspection at TYC or they may be duplicated and distributed to any person

requesting such information in writing immediately following the announcement of the actions taken by TYC. The TYC will charge for copies of written information and the cost of mailing copies requested by the public.

G. Incurring Costs

The proposal preparation and submission costs are solely the responsibility of the Applicant. The Texas Youth Commission shall not provide reimbursement for any such costs.

H. Response to Questions About TYC RFP#2007-31

There will no pre-proposal conference. It is TYC's intent for all programmatic questions to be received by the Contracting Officer on or before May 15, 2007. Questions must be typed and should include the RFP number and title. Questions can be sent to Contracting Officer either via mail, Email, or FAX machine. No questions will be taken by telephone.

Responses to questions will be sent by May 18, 2007 to potential Applicants who have submitted a Notice of Intent to Submit Proposal. After that date, the only questions that will be answered will be limited to those regarding filling in forms and submitting proposals.

I. Deadline for Receipt of Proposals

The deadline for receipt of proposals is no later than 5:00 p.m. C.D.T. on Monday, June 4, 2007. Proposal may be mailed or hand delivered so they arrive in the office of the Contracting Officer on or before 5:00 p.m. C.D.T. on June 4, 2007. **PROPOSALS RECEIVED AFTER THIS DEADLINE WILL NOT BE CONSIDERED.** No proposals will be accepted by FAX machine or Email.

Mailed Proposals: To be considered, mailed proposals must be received by the Contracting Officer on or before 5:00 p.m. C.D.T., Monday, June 4, 2007, at the following address:

Mark Higdon
Business Manager for Contract Care
Texas Youth Commission
P. O. Box 4260
Austin, TX 78765

Hand-delivered Proposals: To be considered, hand-delivered proposals must be received in the office of the Contracting Officer on or before 5:00 p.m. C.D.T., Monday, June 4, 2007. The office of the Contracting Officer is located at:

Brown-Heatly Building
4900 North Lamar
Attn: Mark Higdon, Business Manager for Contract Care
Office Number 2572
Austin, Texas 78751

The Applicant should request a receipt at the time of delivery to verify that the proposal was received by the Contracting Officer on or before the due date and time. All proposals should be sealed at submission. There will be no formal opening of proposals.

J. Oral Presentations, Written Responses and On-Site Visits

Following the submission of proposals, TYC reserves the right to require oral presentations and/or written responses to questions submitted by the review committee for clarification by some or by all Applicants whose written proposals are deemed to be responsive to the requirements established by TYC RFP#2007-31. At TYC's discretion, on-site visits of the proposed sites may be made during any phase of the evaluation process.

It is currently TYC's intent to require oral presentations in conjunction with on-site visits for those Applicants whose proposals are deemed more responsive to the requirements established by TYC

RFP#2007-31. Applicant(s) may not be notified before Friday, June 8, 2007 if selected for an on-site visit the following week.

K. Opportunity to Improve Offer

At the option of TYC, top ranked Applicants may be given an opportunity to improve their offer.

L. Validation of Proposals

As part of the evaluation process, TYC may choose to validate any aspect of the proposal. Validation may consist of on-site visits, review of records, reference checks, and/or confirmation of the information with third parties.

M. Rejection of Proposals

The Texas Youth Commission reserves the right to reject any and all offers received in response to this RFP and to cancel the RFP if it is deemed in the agency's best interest. Issuance of this RFP in no way constitutes a commitment to award a contract or to pay costs incurred by any Applicant in its preparation. In the event no qualified Applicants are received, the agency may terminate the procurement effort, amend the request for proposals in whole or in part, or extend the deadline for submission of proposals by a period of not more than 30 days. In the event that only a single qualified proposal is received, the Agency, at its sole discretion, shall either (a) proceed with contract negotiations, (b) terminate the procurement effort, (c) amend the request for proposals in whole or in part, (d) or extend the deadline for submission of proposals by a period of not more than 30 days.

N. Notification

TYC intends to notify Applicants by mail of the results of the proposal evaluation process on or before July 1, 2007.

O. One or More Contracts May be Awarded

TYC may award one or more contracts for residential services under this request for proposal.

P. Commencement of Services

The date for the commencement of all services described in this request for proposal will be no earlier than July 1, 2007 and no later than October 31, 2007.

Q. Contract Period

The duration of this contract may be for a service period of up to twenty four (24) months with a stipulation to renew for two additional twenty-four month contract periods contingent on satisfactory contract performance, annual legislative appropriations, and mutual agreement of both parties.

R. Legal Action

In any legal action, the laws of the state of Texas will apply and venue will be in Travis County, Texas.

III. PROPOSAL REQUIREMENTS AND FORMAT

One typed original and seven copies of each proposal must be submitted to Contracting Officer by the deadline and to the address in Section II, General Information, paragraph I. This is a minimum requirement for submission of proposals. Proposals that do not meet this requirement may be disqualified.

All proposals must be sealed and will not be opened by TYC until after the deadline for submission, however no formal proposal opening will occur. The Contracting Officer or designee will open all proposals. **TYC will consider only those proposals actually received within the established deadline for submission.**

- A. All proposals must be typed double spaced on 8 1/2 X 11" paper and be clearly legible and secured with a clip or put in a binder or folder. The proposal must follow the sequence outlined and respond to all questions.
- B. Applicant must complete the Applicant Data Form, attached as Exhibit B, the Assurances and Certification Form, attached as Exhibit C, and the Budget Information and Certification Form, attached as Exhibit D.
- C. The Applicant should include a Table of Contents with each section clearly tabbed to make the information within the proposal readily accessible. **The proposal should contain the following completed items in the following sequence as well as the required Exhibits.**

Tab 1. Table of Contents

Tab 2. Applicant Data Form (Exhibit B). A completed Applicant Data Form is a minimum requirement for proposals. Proposals that do not include a completed Applicant Data Form may be disqualified.

Tab 3. Assurances and Certification Form (Exhibit C). A completed and signed Assurances and Certification Form is a minimum requirement for proposals. If any assurances are marked "NO", Applicant's proposal will be disqualified.

Tab 4. Financial Components

- A. Financial Statement of Applicant
- B. Commitment of resources necessary for start-up and continued operations
- C. Budget Information and Certification Form (Exhibit D)
- D. Description of components of central office allocated costs included in Exhibit D (if applicable).
- E. Commitment to participate in USDA school lunch and breakfast programs (if applicable)
- F. Guaranteed beds (if applicable)

Tab 5. Applicant History, Experience, Credentials, and Requirements

- A. History, experience, and qualifications
- B. Experiences in providing services to younger juveniles
- C. Staff organizational chart of the Applicant
- D. Relationship of parent organization to Applicant
- E. List of references
- F. List of contracts terminated within the previous 36 months (if applicable)
- G. Affirmative action policy or plan
- H. List of members of governing body (if applicable)
- I. List of members of advisory group (if applicable)
- J. HUB information and HUB Subcontracting Plan

Tab 6. Site and Facility Specifications

- A. Facility Description
- B. Interaction with youth in other programs in the proposed facility (if applicable)
- C. Secure or Non-secure Program
- D. Space for Younger Juveniles
- E. Medical Room (if applicable)
- F. Space for Educational services (if applicable)

Tab 7. Program Implementation and Commencement of Services

- A. Ability, Resources, and Commitment to Commence Services
- B. Time table of Activities

- C. Notification of state and local Officials and the community
- D. Computer Setup

Tab 8. Program Components and Narrative

- A. Program Focus
- B. License or Certification
- C. TYC General Administrative Policies and Contract for Residential Services
- D. Target Population
- E. Transportation
- F. Staff Requirements
- G. Hours of Operation and Program Schedule
- H. Health Care
- I. Educational Services
- J. Clothing, Nutrition, and Hygiene Items
- K. Treatment Services
- L. Youth Rights, Youth Complaint and Resolution System, and Personal Funds

Tab 9. Measures of Performance and Quality of Services

- A. Allow TYC to conduct monitoring and fully cooperate in all processes
- B. Take appropriate action to correct findings and deficiencies
- C. Monitor day-to-day operations
- D. Monitor activities of consultants, subcontractors, subcontractor's employees, and volunteer workers.

Tab 10. Answers to Review Committee Questions

This tab will not contain information at the time of submitting the proposal, but additional information submitted by the Applicant after Phase II of the evaluation process may be placed behind this tab. The review committee is responsible for placing information behind this tab.

IV. FINANCIAL COMPONENTS

- A. Applicant must provide a current Financial Statement of the business entity or individual(s) acting as the service agent.
- B. Applicant must be able to show the commitment of financial resources necessary for the initial program start-up and continued operations.
- C. Applicant must complete the Budget Information and Certification Form (Exhibit D), providing the requested information. The Applicant, or its authorized representative, must sign page 1 of Exhibit D. A completed and signed Budget Information and Certification Form is a minimum requirement for proposals. Proposals that do not include a completed and signed Budget Information and Certification Form may be disqualified.
- D. If central office allocated cost is included in Exhibit D, Budget Worksheet, Applicant must provide a short description of the items included in this cost and how this cost will benefit the proposed program.
- E. If education services are to be provided on-site, Applicant must state its willingness to apply for, and participate in, the USDA school lunch and breakfast programs. For these Applicants, Food Cost reported in Exhibit D, Budget Worksheet (page 2 of 3), must be net of USDA reimbursement.
- F. Applicant may propose a number of guaranteed beds. TYC may guarantee no more than 90 percent of the beds in the proposed program. If the Applicant is proposing a number of guaranteed beds, the Proposed Rate per Day per Youth with and without guaranteed beds must be shown on Exhibit D,

page 1. The expectations are that a lower rate per day per youth will be proposed with guaranteed beds than without them.

- G. TYC will issue payment with the obligation of the Applicant to admit and serve TYC youth referred for residential services by TYC staff. The basis for monthly payments will be issued on a per day per youth basis. The per day per youth payments will not commence until TYC youth are actually placed in the program.

V. APPLICANT HISTORY, EXPERIENCE, CREDENTIALS AND REQUIREMENTS

- A. Applicant must provide a narrative statement of its history, experience and qualifications.
- B. Applicant must describe experiences in providing services to juvenile offenders in a residential setting and specifically for the population described in TYC RFP #2007-31.
- C. Applicant must submit a complete staff organizational chart.
- D. Applicant must, if there is a parent organization, explain how its functions relate to the proposed program.
- E. Applicant must provide a list of at least three (3) references, including contact name, address and telephone numbers of past projects or experiences related to TYC RFP#2007-31. This is a minimum requirement for proposals. Proposals that do not include at least three references may be disqualified.
- F. Applicant must provide a list of contracts with any State or Federal agency that were terminated within the previous 36 months, including the agency name, services provided, and reason for termination.
- G. Applicant must provide a suitable affirmative action policy or plan. If such a plan is not available, provide a statement that the Applicant will not discriminate against any employee or person seeking employment because of race, religion, sex, color, national origin or non-job-related disability.
- H. **For nonprofit and for profit private or public organizations**, attach a list of current members of the governing body with the term of each member and the officers. Include the addresses and telephone numbers of the officers. Indicate whether any members are employees of the organization.

For partnerships, attach a list of officers. Include the addresses and telephone numbers of the officers.

- I. If Applicant has an advisory group, include the addresses and telephone numbers of members.
- J. **Historically Underutilized Business**
TYC's promotes and encourages contracting and sub-contracting opportunities for State of Texas Historically Underutilized Businesses (HUBs). Successful Applicants are strongly encouraged to sub-contract with HUBs and may obtain assistance from TYC to identify available HUBs, prior to, and after the award of any contracts from TYC RFP-2007-31. TYC and its contractors shall make a good faith effort to meet or exceed the statewide HUB participation goals set by the Texas Building and Procurement Commission (TBPC) for the following categories: Heavy construction other than building contracts (11.9%), Building construction contracts (26.1%), Special trade construction contracts (57.2%), Professional service contracts (20.0%), Other service contracts (33.0%), and Commodity contracts (12.6%). TYC uses TBPC policies regarding HUBs.

- 1. Applicant must state whether it is a Texas Certified Historically Underutilized Business (HUB). If yes, submit a copy of registration.

2. Applicant must submit a HUB Subcontracting Plan (HSP). The forms for completing the HSP are attached as Exhibit E. A proposal submitted in response to this RFP that does not contain a HUB Subcontracting Plan, or if the plan submitted is determined not to be in good faith, will be considered non-responsive and be disqualified. The link to the TBPC internet site for information regarding the HSP is <http://www.tbpc.state.tx.us/communities/procurement/prog/hub/hub-subcontracting-plan>
3. Applicant must state its willingness to submit monthly compliance reports regarding its HSP.

VI. SITE AND FACILITY SPECIFICATIONS

In general, the proposed program must be located in a facility that provides adequate and appropriate space for 48 or fewer TYC youth according to the license or certification. The proposed program may be located in a facility that houses other programs as long as

1. No incarcerated adults are present in the facility, and
2. TYC youth are not assigned to the same dorms as juveniles 15 years of age or older.

A. Applicant must

1. Provide the address of the proposed facility.
2. Describe the site and surrounding environment.
3. Describe the layout of the facility and include floor plans as part of the response.
4. State whether the proposed facility will be owned or leased.
5. Provide a short and concise description of the program's emergency plan for dealing with catastrophic events.

B. If the proposed facility will also house other programs:

1. Applicant must describe these programs, providing the ages and gender of the juveniles that may be assigned.
2. Applicant must describe how TYC youth will interact with youth in the other programs, for example, during mealtimes, medical and dental appointments, and visitation.

C. Applicant must state whether the proposed program will be secure or non-secure.

1. A **secure program** is designed to provide locked doors to prevent egress and ingress and a fenced perimeter to prevent escapes. Educational services must be provided on-site. Isolation/seclusion rooms must be available where youth may be temporarily restricted in order to ensure the safety of the youth and/or others.

If the Applicant is proposing a secure program:

- a. Describe how security rooms will be managed and indicate the location of the rooms on the floor plan.
- b. Describe other security features of the facility.

2. A **non-secure program** is designed to allow youth to have supervised access to the community. Educational services may either be in the community or on-site. A non-secure program does not have isolation/seclusion rooms.

If the Applicant is proposing a non-secure program:

- a. Describe how youth will be supervised when they are in the community.
- b. Describe features of the facility that help prevent unauthorized absences from the facility.

- ### D. Applicant must describe features of the facility that provide space for younger juveniles, including indoor and outdoor recreational areas and equipment. Proposals with appropriate features and space for younger juveniles will be evaluated more favorably.

- E. If the proposed facility is to house 24 or more youth, Applicant must provide a separate medical room to provide for the delivery of medical services. If applicable, Applicant must include the medical room in the description of the facility layout and indicate the location on the floor plans.
- F. If educational services are to be provided on-site, Applicant must describe the classrooms and other space devoted to education in the description of the facility layout and indicate the location(s) on the floor plans. Educational services are required to be on-site for secure programs. Education services for non-secure programs may be provided on-site or in the community. Requirements regarding on-site classrooms for instructional purposes are in VII. Program Requirements and Narrative, paragraph H.

VII. PROGRAM IMPLEMENTATION AND COMMENCEMENT OF SERVICES

- A. Applicant must demonstrate the ability, resources, and the commitment to commence the services described in this request for proposal and be able to accept TYC youth into the proposed program no earlier than July 1, 2007 and no later than October 31, 2007.
- B. Applicant must describe and provide a time table for the activities to be performed to operationalize the program. For example, preparation of the site, recruiting, hiring, and training staff, developing policies and procedures, and start-up of services.
- C. Applicant must provide documentation that state and local officials and the community have been notified and support the project as required in TYC GAP.81.61, which is included as Exhibit F.
- D. Applicant must include a documented willingness to maintain a computer setup with the following: Microsoft Office 2000 or XP (for Word documents and Excel spreadsheets), a local Internet service provider (ISP), and an e-mail address.

VIII. PROGRAM REQUIREMENTS AND NARRATIVE

All Program Components are minimum requirements and must be documented as to willingness and ability to comply with each one in order for the proposal to be considered responsive.

Applicant will address in its proposal each of the requirements in this section. The narrative should describe how each requirement will be met and any additional pertinent information. The narrative should be concise and focused, without extraneous material that is not required by the RFP,

- A. Program Focus
Applicant must state:
 - 1. Its understanding and commitment to the focus of TYC RFP#2007-31.
 - 2. The goals and objectives that it will set forth to accomplish the expectations of TYC RFP#2007-31.
 - 3. The maximum number of youth in the proposed program
 - 4. Whether the proposed program will be boys only or girls only.
 - 5. Whether the proposed program will be located in a boys only facility, girls only facility, or a co-ed facility. Proposed programs located in boys only facilities or girls only facilities will be evaluated more favorably than those located in co-ed facilities
- B. License or Certification
 - 1. If the Applicant is licensed with the Texas Department of Family and Protective Services, Applicant must submit a copy of the license.
 - 2. If the Applicant is certified under the standards of the Texas Juvenile Probation Department, Applicant must submit a copy of the certification.

3. The Applicant may request that the proposed program be certified by TYC according to the requirements of the Texas Youth Commission's Core Standards for Residential Facilities. The table of contents for the Core Standards for Residential Programs is attached as Exhibit G. These standards can be reviewed at the following internet site: http://austin.tyc.state.tx.us/cfinternet/contracts/CoreStandards_ResPrograms.pdf. If the proposed program is certified according to the Core Standards, only TYC youth can be housed in the program.

C. TYC General Administrative Policies and Contract for Residential Services

TYC requires that a successful Applicant comply with certain policies and contract terms and conditions.

1. Applicant must state its willingness to comply with TYC General Administrative Policies, and any subsequent amendments to these policies, that apply to residential programs. A list of the current policies is attached as Exhibit H. These policies can be reviewed at the TYC Internet Home Page (<http://austin.tyc.state.tx.us/Cfinternet/gap/index.html>)
2. A successful Applicant must agree to the terms and conditions stated in the TYC Contract for Residential Services before commencement of services. The provisions that apply to all residential contractors in the TYC Contract for Residential Services are attached as Exhibit I,

D. Target Population and Admissions

TYC will refer youth to the program. For each youth referred, TYC will provide a Common Application with attachments.

The following is a profile of the youth that may be served by TYC RFP #2007-31:

- 89% males and 11% females
- Median age at commitment was 13 years, 6 months. 21% were between 10 years old to 12 years of age at commitment, 79% were 13 years of age at commitment
- 39% African-American, 34% Hispanic, and 26% Anglo
- 30% were known gang members
- Reading Grade Level at commitment was 4 years, 4 months.
- Math Grade Level at commitment was 4 years, 4 months
- Classifications
 - General Offenders 43%
 - Type B Violent Offenders 33%
 - Type A Violent Offenders 15%
 - Sentenced Offenders 5%
 - Firearms Offender 3%
 - Chronic Serious Offender 1%

E. Transportation

TYC will transport youth, upon referral, to the proposed facility and transport, or arrange for transportation, upon release. Applicant will be responsible for meeting youths' transportation needs between referral and release.

1. Applicant must state a willingness to meet youths' transportation needs.
2. Applicant must describe how transportation will be provided.

F. Staff Requirements

Applicant must state its willingness to provide structure and supervision for TYC youth under the following requirements:

1. Direct Care Staff

- a. Direct care staff to youth ratio must be:
 - 1 staff to 6 youth from 6 a.m. to 10 p.m.
 - 1 staff to 12 youth from 10 p.m. to 6 a.m.
- b. Direct care staff to youth ratios will include only staff providing direct supervision to TYC youth. Supervisors and caseworkers will not be considered as direct care staff and will not be counted for purpose of the ratio.
- c. Applicant must describe its plan to deploy staff according to the activities that youth are engaged in, for example, during school, recreation, or while on their dorm.
- d. If the proposed program is located in a facility with other programs, Applicant must describe its plan to deploy staff to manage interactions between TYC youth and these populations.
- e. Applicant must submit schedules for direct care staff for weekdays and weekends.
- f. Applicant must submit job descriptions for direct care staff that define duties, knowledge, skills and abilities. Proposals that include a requirement for staff experience in working with younger offenders will be evaluated more favorably.

2. Clinical and Other Staff

- a. Clinical staff must include one Masters level licensed therapist.
- b. The Facility Administrator must have adequate experience managing or supervising a program for juvenile offenders.
- c. Other staff may include the positions needed for the safe and efficient operation of the proposed facility.
- d. Applicant must list all proposed clinical and other staff positions.
- e. Applicant must submit job descriptions for clinical and other staff positions that define duties, knowledge, skill, and abilities. Proposals that include a requirement for staff experience in working with younger offenders will be evaluated more favorably.

3. Approved Restraint Technique

- a. Applicant must identify the restraint technique to be used
- b. Applicant must certify that all staff, except clerical support staff, will be appropriately trained and certified in an approved restraint technique before assuming their duties.
- c. Applicant must describe plans for training staff prior to the referral of TYC youth to the proposed program.

4. Criminal Background Check

TYC will conduct criminal background checks including, but not limited to, fingerprinting check, criminal records check, sex offender registration records check, and drug test, according to the following:

- | | |
|--|--|
| <ul style="list-style-type: none">• Facilities licensed by Texas Department of Family and Protective Services or certified under the standards of the Texas Juvenile Probation Commission:• Facilities to be certified under TYC Core Standards for Residential Facilities. | <p>Applicant's employees, agents, consultants, subcontractors, subcontractor's employees, and volunteer workers who on a routine basis have direct interactions with TYC youth</p> <p>All Applicant's employees, agents, consultants, subcontractors, subcontractor's employees, and volunteer workers</p> |
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- a. Applicant will pay for criminal background checks.

- b. Applicant must state its willingness to provide information as directed to conduct the criminal background check and personnel access to locations designated by the TYC Central Office Human Resources Department.
- c. Applicant must state its willingness not to allow any of Applicant's employees, agents, consultants, subcontractors, subcontractor's employees, and volunteer workers to work with TYC youth before receiving notification from the TYC Central Office Human Resources Department that the criminal background check is complete and that the individual is approved to work with TYC youth.
- d. Applicant must state its willingness to
 - i. Notify the TYC Central Office Human Resources Department when any of Applicant's employees, agents, consultants, subcontractors, subcontractor's employees, and volunteer workers for whom TYC has performed a criminal background check is arrested, indicted, or charged with a criminal offense or who resigns while under investigation for inappropriate conduct or policy violations.
 - ii. Immediately suspend any such employees, agents, consultants, subcontractors, subcontractor's employees, and volunteer workers from working with TYC youth until authorized by the TYC Central Office Human Resources Department.

G. Hours of Operation and Program Schedule

- 1. Applicant must state its willingness and intent to have the proposed facility in operation 24 hours per day, 7 days a week at the required staffing ratios.
- 2. Applicant must submit a daily and weekend schedule that includes all program activities.

H. Health Care

Applicant must provide a TYC approved system for providing health care (medical, dental, prescriptions) for TYC youth in the proposed program.

- 1. If the proposed program is non-secure, TYC youth will be eligible for Medicaid. Applicant must state its willingness to complete and submit Medicaid applications and report changes to the Texas Department of Health and Human Services within 1 working day of a youth arriving at the program or when the change occurs.
- 2. If the proposed program is secure, TYC will directly pay the health care provider for the care and treatment required by TYC youth. Applicant must state its willingness to obtain authorization and an encumbrance number from TYC prior to the delivery of services, except in the case of an emergency.
- 3. Applicant must identify health care providers within a radius of 150 miles of the program that are interested in providing health care to TYC youth.
- 4. Applicant must state its willingness to provide a psychiatrist for medication management for youth on psychotropic medications. If the proposed program is secure, Applicant will be responsible for paying for these services. If the proposed program is non-secure, the cost for the psychiatrist should be covered by Medicaid.
- 5. Applicant must state its willingness to require that staff administering psychotropic medications will be trained in the administration and side effects for these medications. This training must be updated annually, documented in training or personnel files, and conducted by a registered nurse, pharmacist, or medical doctor.
- 6. Applicant must state its willingness to provide over the counter medications, medical supplies, and first aid to TYC youth.
- 7. Applicant must state its willingness to provide supervision for youth sent off-site to a hospital.
- 8. Applicant must state its willingness to transport TYC youth to and from health care appointments.
- 9. Applicant must describe the provision of on-site or on-call nursing staff.

I. Educational Services

Applicant is responsible for implementing and ensuring that TYC youth are provided with the appropriate educational services as required by state and federal law. Educational services must be provided by a local education agency (LEA) that is accredited by the Texas Education Agency.

- 1. Applicant must identify the LEA that is to provide educational services for TYC youth. Applicant must provide documentation that the LEA is fully aware of the proposed program and its target

population and that demonstrates the LEA's willingness and intent to provide the required educational services.

2. Applicant must describe its efforts to advocate for services provided by the LEA that are specifically significant for younger juveniles, such as recreational instruction. Proposals that show, or ensure, that these services will be provided will be evaluated more favorably.
3. Applicant must describe the annual school schedule, including the number of instructional days. Applicant must describe activities that youth will be engaged in during school holidays.
4. If the proposed program is secure, educational services must be provided on-site:
 - a. Applicant must state its willingness to provide adequate space in the facility for educational services, including classrooms for basic academic classes, special education classes, library services, and technology labs. Applicant must describe features of the education space and services that are significant for younger juveniles, for example, the number of students assigned to a classroom or whether the library has age appropriate books and other resources.
 - b. Applicant must state its willingness to provide the capability in the classrooms to support telecommunications and network computer assisted instruction and Internet access in the library. Applicant must describe specifications about these capabilities.

The description of location of the classrooms and other space for educational services in regards to the facility floor plan is required under IV. Site and Facility Specifications, paragraph F.

5. If the proposed program is non-secure, Applicant must state whether educational services are to be provided on-site or in the community.
 - a. If educational services are to be provided on-site in a non-secure program:
 - i. Applicant must state its willingness to provide adequate space in the facility for educational services, including classrooms for basic academic classes, special education classes, library services, and technology labs. Applicant must describe features of the educational space and services that are significant for younger juveniles, for example, the number of students assigned to a classroom or whether the library has age appropriate books and other resources.
 - ii. Applicant must state its willingness to provide the capability in the classrooms to support telecommunications and network computer assisted instruction and Internet access in the library. Applicant must describe specifications about these capabilities.
- The description of location of the classrooms and other space for educational services in regards to the facility floor plan is required under IV. Site and Facility Specifications, paragraph F.
- b. If education services are to be provided in the community for a non-secure program:
 - i. Applicant must identify the campus where TYC youth will attend school and describe its location in regards to the facility.
 - ii. Applicant must state its willingness to provide transportation to and from the campus and adequate supervision during school activities.

Proposals for non-secure programs in which educational services are provided on-site will be evaluated more favorably.

F. Clothing, Nutrition, and Hygiene Items

Applicant is responsible for procuring and distributing clothing and hygiene items to TYC youth and providing for their nutritional requirements.

1. For clothing, Applicant must
 - i. Provide a list of clothing for each TYC youth
 - ii. Provide uniforms for TYC youth, similar to kaki pants and polo shirts
 - iii. Describe procedures for distributing clothing
 - iv. State its willingness to provide clothing that is clean, properly fitted, not threadbare, and seasonally appropriate for all activities.
 - v. Submit the laundry schedule.
2. For nutrition, Applicant must submit sample menus and state its willingness to:
 - i. Provide nutritional meals that meet all licensing standards
 - ii. Have menus certified annually by a registered dietitian

- iii. Meet nutritional requirements of TYC youth according to age, gender, activity level, and any identified special physical or medical needs.
 - iv. Schedule supper and breakfast not more than 14 hours apart.
 - v. Provide one snack per day for each TYC youth
3. For hygiene items, Applicant must:
- i. Provide a list of hygiene items to be made available to each TYC youth
 - ii. Describe the procedures for distributing hygiene items
 - iii. State its willingness to provide appropriate, gender specific hygiene items, including ethnic hair and skin care products.

G. Treatment Services

1. Applicant must state its willingness to comply with TYC's Residential Contract Program Case Management Standards attached as Exhibit J.
2. Applicant must describe its behavioral modification treatment system. The system must be designed to modify negative behavior and to enhance positive behavior and skills. Individual counseling, didactic groups, and experiential groups are required components of the system. Recreational components should be included in the system to emphasize team building and accountability. The system must include the capability to measure each youth's progress throughout her or his stay in the program.
3. Applicant must describe its training program for the behavioral modification treatment system. Tenured staff must have at least annual training on the system. Training components should reflect developmental understanding for younger juveniles, including impulsivity, attention spans for the age group, and their physical and cognitive capabilities. Training should also include strategies for responding to aggressiveness, promoting team building, channeling excessive energy, and promoting positive behavior.

L. Youth Rights, Youth Complaint and Resolution System, and Personal Funds

Each TYC youth is entitled to have certain basic rights, have access to a complaint system that is confidential, and have her/his personal funds handled in a safe and prudent manner.

1. Applicant must state its understanding of the basic rights that each TYC youth are entitled to. These rights are described in TYC General Administrative Policy 93.1 regarding Youth Rights and Remedies.
2. Applicant must describe the privileges afforded a youth.
3. Applicant must describe the process for handling youth complaints, including procedures for maintaining the confidentiality of the complaint process.
4. Applicant must agree to participate in TYC's Youth Complaint automated system.
5. Applicant must describe the procedures for handing youth funds.

IX. MEASURES OF PERFORMANCE AND QUALITY OF SERVICES

TYC has a comprehensive system of evaluating program performance and youth outcomes. The basis for program evaluation and monitoring includes the following:

- Periodic announced and/or unannounced on-site program monitoring by TYC.
- Compliance with the Contract for Residential Services.
- Progress toward behavioral outcomes.
- TYC Performance Measures and Monitoring Rating for Residential Contract Programs. A description is attached as Exhibit K.

- A. Applicant must agree to allow TYC to conduct monitoring and fully cooperate in all processes.
- B. Applicant must state its willingness to take appropriate action within the time period specified by TYC to correct findings and deficiencies identified during any and all monitoring visits.
- C. Applicant must state its willingness to be responsible for monitoring the day-to-day operations of the program and correcting deficiencies as they occur.

- D. Applicant must state its willingness to monitor the activities of consultants, subcontractors, subcontractor's employees, and volunteer workers to ensure compliance with applicable requirements and achievement of performance goals.

X. SCREENING AND EVALUATION OF PROPOSALS

Proposals will be evaluated using the following process:

EVALUATION OF PROPOSALS PROCESS	
Phase I	<p>All proposals submitted by the deadline will be screened to verify the minimum qualifications stated in the RFP have been provided. Proposals not meeting these requirements will not be considered in the competition for this RFP and the Applicant will be so informed. All qualified proposals will be submitted to the review committee for evaluation.</p> <p>All qualified proposals' references, qualifications, and experience will be validated by TYC staff prior to submission to the review committee for evaluation. TYC reserves the right to conduct reference or background checks including, but not limited to, with the Applicant's former employers or community agency personnel who have knowledge of the Applicant's work performance and professional reputation in the community.</p>
Phase II	<p>A review committee of TYC program and administrative staff shall evaluate and score each qualified proposal. Each member of the committee shall rank order each proposal using the evaluation scores, then the ranks will be added to get a total for each proposal, the lowest totals being the most highly reviewed proposal.</p>
Phase III	<ul style="list-style-type: none"> • On-site visits will be made to Applicants with the most highly evaluated proposals. No more than three hours will be allowed for an on-site visit. The primary focus of the on-site visit is for the review committee to have an opportunity to tour the proposed facility. As part of the on-site visit, the Applicant must make an oral presentation providing an overview of the proposed program of no more than one hour in length. No more than three representatives from the Applicant may be present at the oral presentation or to escort the review committee on the tour of the facility. The Applicant's representatives should expect to respond during the on-site visit to questions from the review committee. • If needed, Applicants with the most highly evaluated proposals may be asked to provide written responses to questions submitted by the review committee. Applicants will be asked to provide one original and seven copies of the answers to be distributed at the beginning of the on-site visit. The answers will become a part of the Applicant's proposal and will be placed behind Tab 10 in the Applicant's response
Phase IV	<p>All information summarized and submitted to the executive director of the Texas Youth Commission for a final decision.</p>
Phase V	<p>The executive director of the Texas Youth Commission makes a final decision and notification is made to Applicants.</p>

Unsuccessful Applicants may appeal the award of the contract. An unsuccessful Applicant has five working days after being notified of the contracting decision to submit an appeal to the contracting officer. The appeal must be in writing and include a concise statement of the facts relied upon by the unsuccessful Applicant and the type of remedy sought. The contracting officer will review the appeal and submit a decision within five working days of receipt.

Upon written request, unsuccessful Applicants are entitled to receive a debriefing concerning the strengths and weaknesses of their proposals compared to the evaluation criteria stated in the RFP.

Each member of the screening committee shall rely on the following minimum requirements for applicant responses:

PHASE I MINIMUM REQUIREMENTS FOR APPLICANT RESPONSES	
I.	TYC receives original and seven copies by deadline in TYC RFP#2007-31
II.	Completed Applicant Data Form (Exhibit B)
III.	Completed and signed Assurances and Certification Form (Exhibit C). If any assurances are marked "NO", Applicant's response will be disqualified.
IV.	Completed and signed Budget Information and Certification Form (Exhibit D)
V.	Included at least three references.
VI.	Completed HUB Subcontracting Plan (Exhibit E). Plan must be determined to be developed in good faith
VII.	Program Components and Narrative. If narrative does not all program components of if statements of willingness to comply with the applicable requirement are not made, proposal will be considered unresponsive and not evaluated.

Minor irregularities: To be considered responsive, a proposal must set forth full, accurate, and complete information and all forms must be signed as indicated and as required by this request for proposal. If the requirement that is not met is considered a minor irregularity or an inconsequential variation, an exception may be made at the discretion of TYC and the offer considered responsive. This may occur only if the variation has negligible significance to price, quality, quantity, or delivery of services and does not affect the competitiveness of other offers. Not signing in the required places and answering "no" to any of the assurances is **not** considered a minor irregularity

Each member of the review committee shall rely on the following proposal evaluation criteria:

EVALUATION CRITERIA	
<p>Financial Components</p> <ul style="list-style-type: none"> The proposed Rate per Day per TYC Youth will be evaluated in terms of reasonableness, competitiveness with other Applicants, competitiveness with existing providers in the marketplace, the degree of technical assistance and other commitments likely to be required from TYC to start the program, the level of proposed guaranteed beds (if any), and the ability of TYC to pay the contact rate. The budget presentation and narrative justifications will be evaluated based on the clarity of the presentation; the effective, realistic and appropriate allocation of funds to meet program requirements; the reasonableness of administrative and indirect costs; and the competitiveness of salaries for the area. The financial statements and supporting documentation will be evaluated based on the financial condition of the business entity or individuals acting as the service agent; the overall financial strength of the Applicant relative to the size of the proposal; ability of the Applicant to support the financial needs of the project during the start-up period; and financial resources committed to the project. 	20 points
<p>Applicant Background</p> <ul style="list-style-type: none"> Evaluation will be based on the Applicant's past experience in providing services to juveniles, juvenile offenders, and especially younger juvenile offenders. While this experience will be most important; however, the history, other experience and qualifications of the Applicant are important as well. The evaluation will consider the cultural diversity of the Applicant's organization as well as the description of cultural sensitivity in the provision of services. 	15 points
<p>Site and Facility Specifications</p> <ul style="list-style-type: none"> Evaluation will be based on the overall appropriateness of the site and facility for the proposed program. Proposals with appropriate features and space for younger juveniles will be evaluated more favorably. If the proposed program is in a facility that also houses older juveniles, or a co-ed facility, the features of the facility and the measures that will be implemented to prevent interaction between TYC youth and these other populations will be critically evaluated. The site will be critically evaluated during an on-site visit and could be a deciding factor for all proposals considered in Phase III of the review process, 	20 points
<p>Program Implementation and Commencement of Services</p> <ul style="list-style-type: none"> Evaluation will be based on the degree of commitment to the project, community and elected officials support of the program, and demonstrated ability to commence services on or after July 1, 2007 and before October 31, 2007. 	20 points
<p>Program Components and Narrative and Measures of Performance</p> <ul style="list-style-type: none"> Evaluation will be based on acknowledgment of an understanding of, and willingness to comply with, all requirements and responsibilities listed in Section VII. Program Components and Narrative. The additional descriptive information relating to requirements such as staff qualifications, job duties, and other requested information will be critically evaluated. Evaluation will be based on acknowledgement of an understanding of, and willingness to comply, all requirements for monitoring conducted by TYC and monitoring conducted by Applicant of its own operations and those of consultants, subcontractors, subcontractor's employees, and volunteer workers. 	25 points
<p>TOTAL MAXIMUM POINTS</p>	100 points

XI. EXHIBITS TO TYC RFP #2007-31

- A. NOTICE OF INTENT TO SUBMIT PROPOSAL
- B. APPLICANT DATA FORM
- C. ASSURANCES AND CERTIFICATION FORM
- D. BUDGET INFORMATION AND CERTIFICATION FORM
- E. HUB SUBCONTRACTING FORMS
- F. TYC GENERAL ADMINISTRATIVE POLICY 81.61, REGARDING NOTIFICATION OF FACILITY OPENING OR RELOCATING
- G. TABLE OF CONTENTS FOR TYC CORE STANDARDS FOR RESIDENTIAL FACILITIES
- H. LIST OF TYC GENERAL ADMINISTRATIVE POLICIES THAT APPLY TO RESIDENTIAL PROGRAMS
- I. TYC CONTRACT FOR RESIDENTIAL SERVICES – PROVISIONS FOR CONTRACTORS
- J. TYC CASE MANAGEMENT STANDARDS FOR RESIDENTIAL CONTRACT PROGRAMS
- K. TYC PERFORMANCE MEASURES AND MONITORING RATING FOR RESIDENTIAL PROGRAMS