

TEXAS CIVIL COMMITMENT OFFICE



This contract, number TP-17-0201, is entered into by and between the Texas Civil Commitment Office ("TCCO" or "the Office"), an agency of the State of Texas, and The Edd Clinic for Psychotherapy and Counseling ("Contractor"), a For Profit Organization, (collectively, "the Parties").

1. **Purpose of the Contract.** The Office agrees to purchase, and Contractor agrees to provide, services and/or goods to the eligible populations as described in the Request for Proposals ("RFP") # 537-16-153828, Sex Offender Treatment Services.

2. **Total Amount of the Contract.** The total contract amount shall not exceed twenty thousand dollars (\$20,000) per fiscal year for the life of the contract. The payment method shall be as specified in the RFP.

3. **Funding Obligation.** This Contract is contingent upon the continued availability of funding. If funds become unavailable through lack of appropriations, budget cuts, transfer of funds between programs, amendment to the Appropriations Act, or any other disruptions of current appropriated funding for this Contract, TCCO may restrict, reduce, or terminate funding under this Contract.

4. **Term of the Contract.** This Contract begins on September 1, 2016 through August 31, 2021. TCCO may, at its sole discretion, renew for two additional (2) two-year terms to extend services for a potential contract period of nine (9) years. Renewal is contingent upon the availability of funds and the satisfactory performance of the Contractor during the contract period. TCCO is not responsible for payment under this Contract before both parties have signed the Contract.

5. **Termination.**

- a. TCCO may, in its sole discretion, terminate this Contract with or without cause, by providing the Contractor with sixty (60) Days prior written notice of such termination. Such notice may be provided by facsimile or certified mail, return receipt requested.
- b. Contractor shall have the right to terminate this agreement without cause upon one hundred twenty (120) days written notice to TCCO or a sooner mutually agreed upon date. Such notice may be provided by facsimile or certified mail, return receipt requested.
- c. The parties may terminate this Contract by mutual agreement, the terms of which shall be set forth in writing.

6. **Authority.** TCCO enters into this Contract under the authority of Title 11, Health and Safety Code, Chapter 841. If this is a professional services contract authority is also granted through Professional Services Procurement Act, Texas Government Code, §§2254.001-2254.005, Health and Safety Code, §12.0121, and 25 Texas Administrative Code, §1.181; and Contractor shall perform "professional services" within the meaning of that term as defined in the above.

7. **Documents Forming Contract.** The Contract consists of the following:

- a. Core Contract (this document) and any written amendments;
- b. Solicitation Document, Request for Proposals RFP #537-16-153828 Sex Offender Treatment Services, including all appendices and exhibits;
- c. Contractor's Response(s) to the Solicitation Document(s); and
- d. Contractor's Written Clarifications.

Any changes made to the Contract, whether by edit or attachment, do not form part of the Contract unless expressly agreed to in writing by TCCO and Contractor and incorporated herein. This Contract may be modified within the Contract period by written amendment signed by both parties.

8. **Conflicting Terms.** In the event of conflicting terms among the documents forming this Contract, the order of control is first the Core Contract, then the Solicitation Document and then Contractor's response to the Solicitation Documents, if any.

9. **Payee.** The Parties agree that the following payee is entitled to receive payment for services rendered by Contractor or goods received under this Contract:

The Edd Clinic for Psychotherapy and Counseling
11999 Katy Freeway, Suite 385
Houston, Texas 77079
Phone: (281) 558-6231
[REDACTED]

10. **Entire Agreement.** The parties acknowledge that this Contract is the entire agreement of the Parties and that there are no agreements or understandings, written or oral, between them with respect to the subject matter of this Contract, other than as set forth in this Contract.

By signing below, the Parties acknowledge that they have read the Contract and agree to its terms, and that the persons whose signatures appear below have the requisite authority to execute this Contract on behalf of the named Party.

TEXAS CIVIL COMMITMENT OFFICE

By: Marsha McLane
Signature of Authorized Official

10-4-16

Date

Marsha McLane

Executive Director
Texas Civil Commitment Office

PO Box 149347 - MC 4300
Austin, Texas 78714-9347

512-834-4590

marsha.mclane@tcco.texas.gov

EDD CLINIC FOR PSYCHOTHERAPY AND COUNSELING

By: Nicholas Edd
Signature of Authorized Official

9-23-16

Date

Nicholas Edd, Psy.D., 250TP
Print Name and Title

11999 Katy Freeway, Suite 385
Address

Houston TX. 77079
City, State, Zip

281-558-6231
Telephone

edclinic@yahoo.com
E-mail Address for Official Correspondence

TEXAS STATE BOARD OF EXAMINERS OF PSYCHOLOGISTS

ANNUAL RENEWAL PERMIT

THIS DOCUMENT
IS DULY ISSUED
UNDER THE LAWS
OF THE
STATE OF TEXAS

Licensed Psychologist

NICHOLAS EDD PSY.D.
PO BOX 66118
HOUSTON, TX 77266

23060

August 31, 2016

LICENSE NO.

EXPIRATION DATE

MUST BE DISPLAYED WITH LICENSE IN A CONSPICUOUS PLACE



Council on Sex Offender Treatment

DOES HEREBY CERTIFY THAT

Nicholas Edd, Psy. D.

meets the qualifications established under Texas Occupations Code, Chapter 110 to practice the profession of sex offender treatment and is authorized to employ the title

Licensed Sex Offender Treatment Provider

in the State of Texas, so long as this certificate is not revoked or suspended and is renewed according to applicable law and rules.



Council on Sex Offender Treatment

certifies that the entity identified below is a

Licensed Sex Offender Treatment Provider

Nicholas Edd, Psy. D.

License Number 98922
Control Number 102114

Expires 9/30/2017

Presiding Officer

F. Liles Arnold, Presiding Officer

License Number 98922

Effective 05/25/2001

INVALID WITHOUT CURRENT
RENEWAL CARD

Cardholder Signature

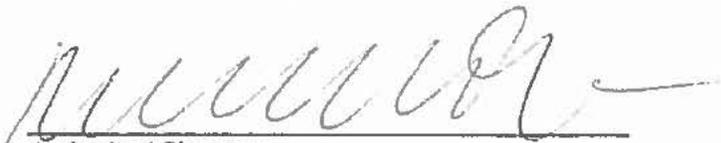
APPENDIX C: CHILD SAFETY ZONE CERTIFICATION FORM

Child Safety Zone Certification

Texas Civil Commitment Office
Licensed Sex Offender Treatment Provider

Contractor Name and Location(s) where services will be provided:

I certify that the above listed facility _____ is (or) is not located in a child safety zone*.



Authorized Signature

Nicholas Edd
Name

Owner / Psychologist
Title

6/30/16
Date

CHILD SAFETY ZONE The 1,000 foot buffer zone that must be maintained between sex offenders and any premises where children commonly gather, including schools, day-care facilities, playgrounds, public or private youth centers, or public swimming pools. Any area within 1,000 feet of these types of premises is considered a child safety zone unless TCCO modifies the distance requirement and provides written notice of this modification to the Contractor.

Note: This form is required to be completed for each location providing Services under this contract.

Add additional pages if necessary

PROF RESUME
NICHOLAS EDD, PSY. D.

CONTINUING
EDUCATION (Cont'd):

**Interviewing Victims of Child Sexual Abuse:
Review of Coaching and Suggestibility Research,
Anna Salter, Ph.D. (24th Annual Conference on the
Management of Adult Sex Offenders and Juveniles
Who Commit Sexual Offenses), March 6, 2016, San
Antonio, TX.**

**PROF RESUME
NICHOLAS EDD, PSY. D.**

**CONTINUING
EDUCATION (Cont'd):**

Advances in Clinical Psychiatry 2015: Impairments in Cognition. Baylor College of Medicine and The Menninger Foundation, Houston, TX., October 23, 2015.

Capacity for Justice Forensic Evaluation 2015, Texas Psychological Asso., October 29, 2015.

Sex Offenders' Risk Assessment: A Case Law Review, Jay Singh, Ph.D. (Global Institute of Forensic Research), December 3, 2015.

Evaluation of Competence to Stand Trial, Candyce Shields, Ph.D., ABPP (American Academy of Forensic Psychology), New Orleans, LA., February 27, 2016.

Evidence-Based Evaluations of Criminal Responsibility, Terry Kukor, Ph.D., ABPP (American Academy of Forensic Psychology), New Orleans, LA., February 28, 2016.

The Offending Narrative: How Sex Offenders Think and How They Get into the Minds of Victims, Anna Salter, Ph.D. (24th Annual Conference on the Management of Adult Sex Offenders and Juveniles Who Commit Sexual Offenses), March 6, 2016, San Antonio, TX.

An Overview: Treatment Standards, Rules, Changes, Licensing Issues and Ethics, Aaron Pierce, Ph.D., Celeste Lunceford, M.S., LPC-S and Ronnie Fanning, CSCD (24th Annual Conference on the Management of Adult Sex Offenders and Juveniles Who Commit Sexual Offenses), March 6, 2016, San Antonio, TX.

**PROF RESUME
NICHOLAS EDD, PSY. D.**

**CONTINUING
EDUCATION (Cont'd):**

Hot Topics in Ethics and Risk Management in Psychological Practice, Jeffrey Younggren, Ph.D., Eric Harris, Ed.D., Joe Scropo, Ph.D., Daniel Taube, J.D., Ph.D. (The Trust), August 6, 2014.

Risk Matrix 2000, David Thornton, Ph.D., Austin, TX, August 15, 2014.

Advances in Clinical Psychiatry 2014: Addictive Behavior (Gambling, Food, Sex, Internet), Baylor College of Medicine and The Menninger Foundation, Houston, TX, October 10, 2014.

Understanding and Treating the Cybersexually Addicted (Webnar), Charles Zeitler, Psy. D. (TZKSeminars), December 6, 2014.

Star Wars and Addiction Medicine: A Meaningful Day of Learning on the Future of Addiction Treatment and Recovery, Texas Society of Addiction Medicine and The Right Step, February 21, 2015.

Hare Psychopathy Checklist-Revised (PCL-R) Training Program. Robert Hare, Ph.D., Matt Logan, Ph.D.), Austin, TX, May 5-6, 2015.
Without Conscience: Psychopathy and Its Implications for Criminal Justice and Mental Health. Robert Hare, Ph.D., Matt Logan, Ph.D., Mary Ellen O'Toole, Ph.D., Michael Woodworth, Ph.D., Stephen Porter, Ph.D., Austin, TX, May 7-8, 2015.

A Manualized Cognitive-Behavioral Therapy Group for Diverse Addictive Behaviors. Greg Neimeyer, Ph.D., APA Office of Continuing Education, June 20, 2015.

2015 Autism Identification and Follow-Up Training, Amerigroup, 10-22-15.

**PROF RESUME
NICHOLAS EDD, PSY. D.**

**CONTINUING
EDUCATION (Cont'd):**

Without Conscience: Psychopathy and its Implications for Criminal Justice and Psychology, Texas A&M University, Robert Hare, Ph.D., Matt Logan, Ph.D., Mary Ellen O'Toole, Ph.D.), Austin, TX, May 13-14, 2014.

Working with Arab and Middle Eastern Populations: Cultural and Clinical Considerations, TZK Seminars, June 7, 2014.

Mild Cognitive Impairment: A Concept in Need of More Input from Neuropsychology, Mark Bondi, Ph.D., ABPP (12th Annual Conference of the American Association of Clinical Neuropsychology, New York, New York), June 26, 2014.

Forensic Neuropsychological Assessment with the WAIS-IV/WMS-IV/ACS, Scott Millis, Ph.D., ABPP (12th Annual Conference of the American Association of Clinical Neuropsychology, New York, New York), June 26, 2014.

Neuropsychologist Experts and Neurolaw: Cases, Controversies and New Admissibility Challenges, Paul Kaufmann, J.D., Ph.D., ABPP (12th Annual Conference of the American Association of Clinical Neuropsychology, New York, New York), June 27, 2014.

Update on the Frontotemporal Syndromes: Lessons for Neuropsychology, Joel Kramer, Psy.D., ABPP(12th Annual Conference of the American Association of Clinical Neuropsychology, New York, New York), June 28, 2014.

Restoring Life After Sexual Trauma, Melissa Bradley-Ball, MS, NCC,BCETS, FAAETS (Cross Country Education), Houston, TX, July 9, 2014.

**PROF RESUME
NICHOLAS EDD, PSY. D.**

**CONTINUING
EDUCATION (Cont'd):**

Sexual Behavior Problems), March 5, 2012.

Testifying as an Expert in Sex Offense Trials: Matthew Ferrara, Ph.D., Robert Cramer, Ph.D., Amy Wevodau, M.A. (20th Annual Conference on the Management of Adults and Juveniles with Sexual Behavior Problems), March 5, 2012.

Fundamentals of Forensic Assessment, David Shapiro, Ph.D., July 13, 2012.

New Developments in Ethics and the Law, David Shapiro, Ph.D., August 24, 2012.

Evaluation of Sex Offenders, Phillip Witt, Ph.D. (American Academy of Forensic Psychology, San Francisco, CA), September 9, 2012.

Child Sexual Abuse Interview Protocol (CSAIP) For Use in Forensic Videotaped Interviews, Monit Cheung, Ph.D., LCSW and Jacquelynn Duron, LCSW, February 28, 2013.

Rorschach-Performance Assessment System (R-PAS): Introduction and Case Illustration, Donald Viglione, Ph.D. (DePelchin Children's Center), Houston, TX, June 28-29, 2013.

Outpatient Sexually Violent Predator Treatment Program Training, Matthew Ferrara, Ph.D., Allison Taylor (Office of Violent Sex Offender Management), Austin, TX, August 23-24, 2013.

Using the DSM-5 for Revolutionizing Diagnosis and Treatment (Thomas A. Smith, Ph.D., LMHC, NCP, FAPA, BCCP, CMI Education Institute), Houston, TX, November 8, 2013.

Dynamic Risk Supervision Protocol (Static/Stable/Acute), (Shelley Graham, Ph.D., LPC, LSOTP, Tx Association for Treatment of Sexual Abusers), Austin, TX, May 2-3, 2014.

PROF RESUME
NICHOLAS EDD, PSY. D.

CONTINUING
EDUCATION (Cont'd):

An Ounce of Prevention: Mental Health Ethics and the Law, Michael Flynn, JD, PhD (Cross Country Education), Houston, TX, April 8, 2011.

SASSI Clinical Interpretation: David Helton, LCDC, Houston, TX, August 19, 2011.

Advanced Issues in Psychological Fitness-for-Duty Evaluations: (American Academy of Forensic Psychology) David Corey, Ph.D., ABPP, Boston, MA, September 8, 2011.

Ethical Issues in Providing Testimony on Risk Assessment: Mary Alice Conroy, Ph.D. (Texas Psychological Association), Houston, TX, September 23, 2011.

Violence Risk Assessment: Mary Alice Conroy, Ph.D. (Texas Psychological Association), Houston, TX, September 23, 2011.

Civil Commitment Training: Lisa Worry (Office of Violent Sex Offender Management), Fort Worth, TX, December 3, 2011.

What Works and What Doesn't Work in Adult Sex Offender Treatment: Robert McGrath, Ph.D. (20th Annual Conference on the Management of Adults and Juveniles with Sexual Behavior Problems), Galveston, TX, March 4, 2012.

Technology and the Explosion of Domestic Minor Sex Trafficking: Deena Graves, ABC (20th Annual Conference on the Management of Adults and Juveniles with Sexual Behavior Problems), Galveston, TX, March 4, 2012.

Youth with Illegal Sexual Behaviors: A Developmental Approach-Juveniles Are Not Adults: Sue Rightland, Ph.D. (20th Annual Conference on the Management of Adults and Juveniles with

**PROF RESUME
NICHOLAS EDD, PSY. D.**

**CONTINUING
EDUCATION (Cont'd):**

The Basics of EMDR and It's Application to Sex Offender Treatment, Jordan Shafer, LPC, LSOTP (17th Annual Conference of Adults and Juveniles with Sexual Behavior Problems), March 9, 2009.

Get Ready, He's Coming Home: Reunification, Dan Powers, LCSW, LSOTP (17th Annual Conference of Adults and Juveniles with Sexual Behavior Problems), March 9, 2009.

Courtroom Testimony, Hank Roubicek, Ph.D. (17th Annual Conference of Adults and Juveniles with Sexual Behavior Problems), March 10, 2009.

Ethical Issues, Liles Arnold, LPC, LSOTP; Aaron Pierce, Ph.D., LSOTP (17th Annual Conference of Adults and Juveniles with Sexual Behavior Problems), March 10, 2009.

Performance Validity and Test Validity in Neuropsychology: From Malingering to the Ability Focused Neuropsychological Battery, Glenn Larrabee, Ph. D. (17th Annual Symposium of the Houston Neuropsychological Society), Houston, TX, October 17, 2009.

Treatment of the Developmentally Delayed Sex Offender, James Haaven (Outpatient Sexually Violent Predator Treatment Program, Council on Sex Offender Treatment), Austin, TX, November 6-7, 2009.

Understanding, Assessing and Managing Dementia, Steven Rubin, MD (Health Education Network), Houston, TX, November 13, 2009.

Ethical Issues, Emily Laubach, Ph.D., Leadership Seminars), Houston, TX, February 4, 2010.

Civil Commitment Contractor Training, Council on Sex Offender Treatment, Austin, TX, August 20-22, 2010.

**PROF RESUME
NICHOLAS EDD, PSY. D.**

**CONTINUING
EDUCATION (Cont'd):**

Motivational Interviewing, James Krebs, MS, LCDC, AAC, CSC (35th Annual Conference on Addiction Studies), Houston, TX, October 5, 2008.

Treatment Strategies for the Eating disordered Client, (35th Annual Conference on Addiction Studies), Houston, TX, October 5, 2008.

Rorschach Assessment of Children and Adolescents, Erdberg, Philip (Rorschach Training Programs), October 10 – 12, 2008.

Autism Spectrum Disorders, Deborah Fein, Ph.D. (Houston Neuropsychological Society), October 18, 2008.

Sex Addiction, Viewing Child Pornography, Making a Diagnosis of Pedophilia: Criteria, Indications and Problems, Barbara Levinson, Ph.D. (American Association of Sex Educators, Counselors and Therapists), October 26, 2008.

Effectively Working with Juveniles with Sexual Behavior Problems, Robert Hart, LPC (17th Annual Conference of Adults and Juveniles with Sexual Behavior Problems), March 8, 2009.

Introduction to the Use of Motivational Interviewing with People Who Have Sexually Abused, Marilyn Ross, (17th Annual Conference of Adults and Juveniles with Sexual Behavior Problems), March 8, 2009.

Development, Validity and Reliability of the Juvenile Sex Offender Recidivism Risk Assessment Tool-II (JSORRAT-II), Douglas Epperson, (17th Annual Conference of Adults and Juveniles with Sexual Behavior Problems), March 9, 2009.

**PROF RESUME
NICHOLAS EDD, PSY. D.**

**CONTINUING
EDUCATION (Cont'd):**

Offender Treatment, Austin, Texas, April 25-26,
2008

Criminal Justice and Substance Abuse
Programming, Kevin Knight, Ph.D. (35th Annual
Conference on Addiction Studies), Houston, TX,
October 3, 2008.

The X's and O's of Alternative Sentencing, Mary
Covington, BBA (35th Annual Conference on
Addiction Studies), Houston, TX, October 3, 2008.

The Jason Foundation: Suicide
Awareness/Prevention Pgm, Dong Chan, MS, LPC-
J, CART (35th Annual Conference on Addiction
Studies), Houston, TX, October 3, 2008.

HIV and Aging, Octavio Vallejo, MD, MPH (35th
Annual Conference on Addiction Studies), Houston,
TX, October 3, 2008.

Strengthening Families and Communities, Karol
Krumfer, Ph.D. (35th Annual Conference on
Addiction Studies), Houston, TX, October 4, 2008.

Family Addiction Education, Robin Hesse, LCDC,
CAC, ICADC (35th Annual Conference on
Addiction Studies), Houston, TX, October, 4, 2008.

Don't Let HIV Get You Down, M. Lynn Selzer
(35th Annual Conference on Addiction Studies),
Houston, TX, October 4, 2008.

Special Sports Panel Discussion, Jay Parker,
Moderator (35th Annual Conference on Addiction
Studies), Houston, TX, October 4, 2008.

PROF RESUME
NICHOLAS EDD, PSY. D.

CONTINUING
EDUCATION (Cont'd):

Use of Violence In Sexually Aggressive Acts: Etiology, Assessment and Treatment Implications for Juvenile and Adult Offenders, Andrea Teten, Ph. D.; 16th Annual Conference of Adults and Juveniles with Sexual Behavior Problems, February 10, 2008, Galveston, TX.

Evaluating Sexual Interest in Children and Adolescents, Jack Butler, Ph.D.; 16th Annual Conference on the Management of Adults and Juveniles with Sexual Behavior Problems, February 10, 2008, Galveston, TX.

Deaf and Developmentally Delayed Sex Offenders: Assessment, Supervision and Treatment, William Schmidt, Ph. D.; 16th Annual Conference on the Management of Adults and Juveniles with Sexual Behavior Problems, February 11, 2008, Galveston, TX.

Sexual Offenses and Developmentally Delayed Individuals, Jorge Carrillo, Ph.D.; 16th Annual Conference on the Management of Adults and Juveniles with Sexual Behavior Problems, February 11, 2008, Galveston, TX.

Professional Ethics: The Do's and Don'ts, David Richards and Lyles Arnold, LPC, 16th Annual Conference on the Management of Adults and Juveniles with Sexual Behavior Problems, February 12, 2008, Galveston, TX.

Asperger's Disorder and Autism: Advances in Understanding and Interventions, Celine Saulnier, Ph.D. (New England Educational Institute), Houston, TX, April 15, 2008.

Civil Commitment: Outpatient Sexually Violent Predator Treatment Program, Council on Sex

PROF RESUME
NICHOLAS EDD, PSY. D.

EDUCATION (Cont'd):

SVP Treatment, Lisa Worry (Council on Sex Offender Treatment): Austin, TX, February 18, 2007.

Completing Sex Offender Treatment: Leite, Ezio, Ph.D. ; Dean Lawrin, LPC, LSOTP; Braun, Sean, LPC, LSOTP (Council on Sex Offender Treatment), February 18, 2007.

Juveniles with Sexual Behavior Problems, Becker, Judith, Ph.D. Austin, TX, February 19, 2007.

Family Systems Issues in Treating of Managing the Adult Male Sex Offender, Nancy Steel, Ph. D., Austin, TX, February 19, 2007.

Conceptual and Empirical Developments in Adult Sex Offender Research and Practice, Seto, Michael, Ph.D., Austin, TX, February 20, 2007.

Ethics: Complaint Proofing Your Practice: Matthew Ferrara, Ph. D., Dalrymple, Kendra, J.D., Austin, TX, February 20, 2007.

Domestic Violence and Substance Abuse Assessment, Program Services, March 08, 2007.

Rorschach Training Program #RT 07102, a Program Focusing On the Fundamentals of Administration, Scoring and Interpretation of the Rorschach Test, Rorschach Training Programs (Barry Ritzler, Ph.D. and Allyson Harrison, Ph.D.), Toronto, Ontario, Canada, May 9-13, 2007.

Rorschach and MMPI-2 Integration, Roger Greene, Ph.D. and Phillip Erdberg, Ph.D. (Rorschach Training Programs), Newark, New Jersey, October 5-7, 2007

PROF RESUME
NICHOLAS EDD, PSY. D.

CONTINUING
EDUCATION (Cont'd):

Assessing and Managing Sexual Compulsivity, Ezio Leite, LPC, Lawrin Dean, LPC, Sean Braun, LPC, Austin, TX, February 22, 2005.

Ethics, Lyles Arnold, LPC, Austin, TX, February 22, 2005.

13th Annual Conference on the Management of the Adult Sex Offenders, Council on Sex Offender Treatment, Austin, TX, February 20-22, 2005.
Assessing and Treating Reactive Attachment Disorder, Rhonda Lettington, Houston, TX February 24, 2005.

Clinical and Forensic Use of the Hare Psychopathy Check list- Revised and Screening Version, Carl B. Gacono, PHD (Medical Education Services, Inc.) Dallas, Texas, September 22 & 23, 2005.

Treating Compulsive Sexual Behavior Cross Country Education (Paul Simpson, Ed.D.), Houston, TX February 17, 2006.

Critical Issues in Child Sexual Abuse Evaluations, Kathryn Kuehnle, Ph.D. (American Academy of Forensic Psychology), Houston, TX February 24, 2006.

Civil Commitment: Outpatient Sexually Violent Predator Texas Program (Texas Council on Sex Offender Treatment), June 11, 2006, Austin, TX.

Urological Assessment of Male Sexual Dysfunction, American Association of Sex Educators, Counselors and Therapists, February 11, 2007.

15th Annual Conference on the Management of Adults and Juveniles with Sexual Behavior Problems, Austin, TX, February 18-20, 2007.

CONTINUING

PROF RESUME
NICHOLAS EDD, PSY. D.

CONTINUING
EDUCATION (Cont'd):

The Clinical Use of Plethysmography in the Treatment and Management of the Sexual Offender in the Community, Ezio Leite, LPC, RSOTP, Lawrin Dean, LPC, RSOTP, Sean Braun, LPC, RSOTP, 12th Annual Conference on the Management of the Adult Sex Offender. Galveston, Texas, March 8, 2004.

Ethical Delimnas, Vivian Lewis Heine, LMSW-ACP, RSOTP, 12th Annual Conference on the Management of the Adult Sex Offender, Galveston, Texas, March 8, 2004.

Developmentally Delayed Sex Offenders, James Havens, 12th Annual Conference on the Management of the Adult Sex Offender, Galveston, Texas, March 9, 2004.

Counseling Couples: What Works and What Doesn't, Brenda Dozier, Ph.D., Cross Country University, October 21, 2004.

Civil Commitment Outpatient Sexually Violent Predator Treatment Program, Council on Sex Offender Treatment (TDH), December 6-5, 2004.

Understanding Obesity: Psychiatric Evaluation of the Bariatric Patient, Peter Gillman, Ph D, Houston, TX, January 20, 2005.

Assessment of Suspected Child Molesters, Matthew Ferrera, Ph. D., Austin, TX, February 20, 2005.

Addressing Intimacy Deficits in Sex Offenders, James Runnels, LPC, Austin, TX, February 20, 2005.

Criminal Sexuality, Michael Napier, BSF, Austin, TX, February 21, 2005.

PROF RESUME
NICHOLAS EDD, PSY. D.

CONTINUING
EDUCATION (Cont'd):

Our National Policies of Child Carelessness, Eileen Lindner, Ph.D., January 16, 2004.

Level I Clinician/Technician Training: Using the Monarch 21 PPG System. Behavioral Technology, Inc., Peter Byrne, Ph.D., February 11-12, 2004.

Level II Clinician Training: The Monarch 21 System and Plethysmography. Behavioral Technology, Inc. Peter Byrne, Ph.D., February 13-14, 2004.

Treatment Strategies with the Adult Sex Offender Special Needs Client, Roberto Moreno, Ed.D., LPC, LMFT, CFC, RSOTP and Jane Bajaj, MA, 12th Annual Conference on the Management of the Adult Sex Offender, Galveston, Texas, March 7, 2004.

Expert Testimony and the Exchange of Confidential Information, Todd Jermstad, Legal Counsel, Bell County CSCD, 12th Annual Conference on the Management of the Adult Sex Offender, Galveston, Texas, March 7, 2004.

Using Restorative Justice Programs in the Treatment of Sex Offenders, Raven Kazen, Director of Victim Services, Texas Department of Criminal Justice, and 12th Annual Conference on the Management of the Adult Sex Offender, Galveston, Texas, and March 8, 2004.

Sex History and Polygraph Preparation, Scott Siegal, MA, LPC, RSOTP, 12th Annual Conference on the Management of the Adult Sex Offender, Galveston, Texas, March 8, 2004.

**PROF RESUME
NICHOLAS EDD, PSY. D.**

**CONTINUING
EDUCATION (Cont'd):**

A Practical Guide to Risk Assessment, Mary Alice Conroy, Ph.D. (Texas Psychological Association), September 3, 2003.

Civil Commitment Outpatient Sexually Violent Predator Treatment Program, Council on Sex Offender Treatment (TDH), October 18-19- 2003.

Facing the Shadow: Dealing With Sexual Extremes, Patrick Carnes, Ph.D., Sponsored by Houston Council on Alcohol and Drug Abuse, October 23, 2003.

The Recovery Zone, Patrick Carnes, Ph.D., Sponsored by Houston Council on Alcohol and Drug Abuse, October 24, 2003.

31st Annual Conference, Texas Association of Marriage and Family Therapy, Houston, TX, January 15, 2004.

Solutions: Family Therapy and the Sexually Abusive Child, Dawn Lawless, LMSW-ACP & Michelle Wolf, MA, January 16, 2004.

Infidelity: A Systematic and Intrapsychic Perspective, Andrew Gol, Ph.D., Merle Holland, Ed.D., Robert Hochschild, Ph.D., Sarah Pllock, Ph.D. Margaret Sheely, MSW, Lee Winderman, Ph.D., January 16, 2004.

Childhood Relationships: How Family and Community Create the Early Experiences that Shape Child and Culture, Bruce Perry, M.D., Ph.D., January 16, 2004.

PROF RESUME
NICHOLAS EDD, PSY. D.

CONTINUING
EDUCATION (Cont'd):

ADHD and Substance Use Disorders: Myths and Misunderstandings, Trent Everett, Ph.D., 15th Annual Conference, Attention Deficit Disorders Association-Southern Region and Cook Children's Medical Center, February 21, 2003.

The Containment Approach: Implementing the Polygraph Effectively, Kim English, M.A., 11th Annual Conference on the Treatment and Supervision of the Adult Sex Offender, Dallas, TX, February, 28, 2003.

A New Approach to Family Reunification, Kim English, M.A., 11th Annual Conference on the Treatment and Supervision of the Adult Sex Offender, Dallas, TX, February 28, 2003.

The Importance of Working Together For Community Safety: The Legal Perspective, Lynn Corsi, JD, LMSW; Judge John C. Creuzot; Judge Patricia Lykos; Reed Prospere; David Rakow; Lucinda Simons. 11th Annual Conference on the Treatment and Supervision of the Adult Sex Offender, Dallas, TX, March 1, 2003.

Victim Impact Panel, Sheri Sikes, 11th Annual Conference on the Treatment and Supervision of the Adult Sex Offender, Dallas, TX, March 1, 2003.

Ethics of Sex Offender Treatment Providers, Karen Lawson, Ph.D. and J. Ray Hays, Ph.D., 11th Annual Conference on the Treatment and Supervision of the Adult Sex Offender, Dallas, TX, March 1, 2003.

**PROF RESUME
NICHOLAS EDD, PSY. D.**

**CONTINUING
EDUCATION (Cont'd):**

What's wrong with a Little Pornography: A Clinical Perspective? Ezio Leite, M. Ed, LPC, RSTOP, Lawrin Dean, M. Ed, LPC, RSOTP, Becky Adams, M. Ed, LPC, RSOTP, February 23, 2002

Sex Offender and the Internet, Sgt. Robert L. MacFarland, Criminal Intelligence Division, Corpus Christi Police Dept., February 23, 2002

Public Safety Workshop: Effective and Responsible Use of Psychological Tests in Pre-Employment Selection. NCS Pearson Assessments: Mark Zelig, Ph.D., David Arnold, Ph.D., J.D., Gary Fischer, Ph.D., Youssef Ben-Porath, Ph.D., Phoenix, Arizona, February 2, 2003.

Assessment of ADHD: A Review of Empirically-Based Strategies, Stewart Pisecco, Ph.D., 15th Annual Conference, Attention Deficit Disorders Association-Southern Region and Cook Children's Medical Center, February 21, 2003.

Addressing ADHD and Related Conditions, Jefferson Prince, M.D., 15th Annual Conference, Attention Deficit Disorders Association-Southern Region and Cook Children's Medical Center, February 21, 2003.

The ABC's of ADHD, Robert Weinberger, Ph.D., 15th Annual Conference, Attention Deficit Disorders Association-Southern Region and Cook Children's Medical Center, February 21, 2003.

Impact of Adult ADD on Relationships, Richard Austin, Ph.D., 15th Annual Conference, Attention Deficit Disorders Association-Southern Region and Cook Children's Medical Center, February 21, 2003.

PROF RESUME
NICHOLAS EDD, PSY. D.

CONTINUING
EDUCATION (Cont'd):

Interventions with Aggressive and Resistant Youth,
Daniel Davis, Ph. D. (Medical Education Services,
Inc.), December 6, 2001

The Management of Families through Conflictual
Divorce, Deborah Higgs, LPC, LMFT and Susan
Baker, J. D. (Texas Association of Marriage and
Family Therapy), January 25, 2002

Virtually Addicted: Diagnosing and Treating
Internet Addiction, Deborah Corley, Ph. D., (Texas
Association of Marriage and Family Therapy),
January 25, 2002

Solution Focused Family of Origin Therapy,
Deborah Corley, Ph. D. (Texas Association of
Marriage and Family Therapy), January 25, 2002

10th Annual Conference on the Treatment and
Supervision of the Adult Sex Offender: Tides of
change in Treatment and Supervision Issues
(Correctional Management Institute of Texas,
Council on Sex Offender Treatment, Texas
Department of Health, Nueces County Community
Supervision and Corrections Department, Nueces
County Juvenile Probation, Office of the Attorney
General, Texas Department of Criminal Justice),
February 21-23, 2002

Putting It All Together: Making Treatment Work,
Anna C. Salter, Ph. D., February 22, 2002

Responsibility: A Key Issue in Sex Offender
Treatment and Community Safety. Honorable J.
Manuel Banales, Maria Molett, MA, LPC, RSOTP,
F. Liles Arnold, LPC, RSOTP, Estella G. Gullen,
TDCT-CJAD, Jennifer Coyle, TDCT, February 23,
2002

**PROF RESUME
NICHOLAS EDD, PSY. D.**

EDUCATION (Cont'd):

Americans With Disabilities Act: psychological Evaluation and Consultation, William Foote, Ph.D., American Academy of Forensic Psychology, March 10, 2000

Treatment Strategies for Sexually Abused Children, Carolyn Tyndall, Ph.D., Houston Community College- Central, March 31, 2000

Anger and Aggression: Cognitive Behavioral and Short Term Intervention for Change, American Health Care Institute, James Barnhill, Ph.D., June 7, 2000

How To Be A Brain Damage Detective, Muriel Lezak, Ph.D., Houston Neuropsychological Society, VA Medical Center (Houston), September 9, 2000

Focus on the Future (Houston, Texas), Attention Deficit Disorders Association- Southern Region, Thirteenth Annual Conference, February 2-3, 2001

Ninth Annual Conference on the Treatment and Supervision Of Adult Sex Offenders (Correctional Management Institute of Texas, Council on Sex Offender Treatment, The Children's Assessment Center, Harris County Community Supervision and Corrections Department, Texas Department of Criminal Justice, Interagency Coordinating Council on Sex Offenders), Houston, Texas, February 11 thru 13, 2001

Ninth Annual Conference on Working with the Juvenile Sex Offender (Correctional Management Institute of Texas, Council on Sex Offender Treatment, Texas Juvenile Probation Commission, Texas Youth Commission, Child Protective Services, Children's Assessment Center), Austin, Texas, July 20-22, 2001

PROF RESUME
NICHOLAS EDD, PSY. D.

CONTINUING
EDUCATION (Cont'd):

Neuropsychology for the Forensic Psychologist,
Wolfred Van Gorp, Ph.D. (American Academy of
Forensic Psychology), November 7, 1999

Danger: Toxic Environment in Marriage, Develop
an Intentional Detoxication Plan, Britton Wood,
Ph.D., Texas Association of Marriage and Family
Therapy, January 27, 2000

Divorce Damage Control, Pat Hudson, Ph.D., Texas
Association of Marriage and Family Therapy,
January 27, 2000

Siblings of ADHD Kids, Emotional Intelligence and
Family Therapy, Texas Association of Marriage
and Family Therapy, January 28, 2000

Spirituality: The New Clinical Challenge, Harry
Aponte, MSW, Texas Association of Marriage and
Family Therapy, January 28, 2000

Shared Custody: What About the Children?
Deborah Higgs, M.A., LPC, Texas Association of
marriage and Family Therapy, January 28, 2000

Healing Strained Relationships, Kenneth Hardy,
Ph.D., Texas Association of Marriage and Family
Therapy, January 28, 2000

Both Feet on the Ground: Effective Couples' Work,
Sherry Beeman, Ph.D., Texas Association of M
Marriage and Family Therapy, January 29, 2000

Assessment of Psychopathy: An Overview of the
Hare Scales, Stephen Hart, Ph.D., American
Academy of Forensic Psychology, March 8, 2000

Child Custody Evaluations: A Risk Management
Approach, David Martindale, Ph.D. American
Academy of Forensic Psychology, March 9, 2000

CONTINUING

PROF RESUME
NICHOLAS EDD, PSY. D.

CONTINUING
EDUCATION (Cont'd):

Sex Offender Intervention: Where We Are and Where We Should Be, Jonathan Ross, M.A., the Seventh Annual Texas Conference on the Treatment and Supervision of Juvenile Sex Offenders (Correctional Management Institute of Texas, Council on Sex Offender Treatment, Texas Youth Commission, Texas Juvenile Probation Commission), July 10, 1999

Cognitive Work With Deviant Sexual Fantasies, Jonathan Ross, M.A., The Seventh Annual Texas Conference on the Treatment and Supervision of Juvenile Sex Offenders (Correctional Management Institute of Texas, Council on Sex Offender Treatment, Texas Youth Commission, Texas Juvenile Probation Commission), July 10, 1999

The Offense Specific Process Group for Adolescent Sex Offenders, Jonathan Ross, M.A., The Seventh Annual Texas Conference on the Treatment and Supervision of Juvenile Sex Offenders (Correctional Management Institute of Texas, Council on Sex Offender Treatment, Texas Youth Commission, Texas Juvenile Probation Commission), July 10, 1999

Assessing Malingering and Deception, Randy Otto, Ph.D., University of South Florida, Department of Mental Health Law and Policy, July 24, 1999

Survey of Forensic Psychology Practice: Issues and Applications, (American Academy of Forensic Psychology), September 30 thru October 3, 1999

Forensic Assessment of Child Sex Abuse Allegations, H.D. Kirkpatrick, Ph.D. (American Academy of Forensic Psychology), November 6, 1999

**PROF RESUME
NICHOLAS EDD, PSY. D.**

**CONTINUING
EDUCATION (Cont'd):**

Forensic Assessment of Sexual Discrimination and Sexual Harassment in the Workplace, Herbert Weisman, Ph.D. (American Academy of Forensic Psychology), February 22, 1998

Anger Resolution Therapy Certification Training, Center for Anger Resolution, Newton Hightower, LMSW-ACP, LMST, LPC, CCDS, March 5 and 6, 1999

Risk Assessment of Sexual Offenders, Specialized Training Services, Anna Salter, Ph.D. (APA Approved), March 22 and 23, 1999

On the Same Page as the Judge: Psychiatric and Psychological Evidence and Testimony Benchbook, Eric Drogin, Ph.D. and Howard Altschwager, J.D. (American Academy of Forensic Psychology), April 15, 1999

Role of the Forensic Psychologist in Death Penalty Litigation, James Eisenberg, Ph.D. (American Academy of Forensic Psychology), April 16, 1999

Personal Injury Evaluations: Ethics, Practice and Case Law, Stuart Greenberg, Ph.D. (American Academy of Forensic Psychology), April 17, 1999

Brewing a Jury: Scientific and Practical Perspectives, Brian Cutler, Ph.D. (American Academy of Psychology), April 18, 1999

Assessing and Treating Sex Offenders From Three Expert Perspectives, Gene Abel, M.D., Fred Berlin, M.D., Ph.D., and Anna Salter, Ph.D., Specialized Training Services (APA Approved), July 7, 8, and 9, 1999

**PROF RESUME
NICHOLAS EDD, PSY. D.**

HOSPITAL AFFILIATIONS:

Cambridge Hospital, Houston, TX
Behavioral Hospital of Bellaire
Memorial Hermann Behavioral Health
Texas West Oaks Hospital
Sun Behavioral Healthcare

**CONTINUING
EDUCATION:**

Ethical Challenges for the 21st Century, Texas
Psychological Association, August 25, 1995

Attention Deficit Hyperactivity Disorder in
Children, Adolescents and Adults; Diagnosis,
Assessment and Treatment, Russell Barkley, Ph.D.,
February 3, 1996

Sexual Abuse: A Violation of the Self, Houston
Group Psychotherapy Society, May 17, 1996

Clinical Psychopharmacology, John Preston, Psy.D,
James Johnson, M.D. (APA Approved), August,
1997

Ethical Issues in Clinical Forensic Practice, Joan
Anderson, Ph.D. (TPA), November 21, 1997

Achieving Expertise in Child Custody Evaluations,
Beth Clark, Ph.D. (American Academy of Forensic
Psychology), February 19, 1998

Cross-Examination: Maintaining Credibility,
Handling Attacks and Answering the Critics, Diane
Follingstad, Ph.D. (American Academy of Forensic
Psychology), February 20, 1998

Intermediate and Advanced Forensic Practice,
Robert Meyer, Ph.D. (American Academy of
Forensic Psychology), February 21, 1998

PROF RESUME
NICHOLAS EDD, PSY. D.

PROFESSIONAL EMPLOYMENT: (Cont'd)

June 1975- June 1976

Alternative drug Abuse Program of Vocational
Guidance Service- Psychological Assistant
2525 San Jacinto
Houston, Texas 77002
Supervisor: Donald B. Gautney, Ph.D.
Duties: Group and Individual Therapy,
Psychological Testing, Interviewing and Report
Writing with adult population.

MEMBERSHIPS:

Association for the Treatment of Sexual Abusers
(ATSA)
American Psychological Association
Texas Psychological Association
Houston Psychological Association
Council for the National Register of Health Service
Providers in Psychology
American College of Forensic Psychology
American Society of Trail Consultants
Affiliate, American Association of Marriage and
Family Therapy
Texas Association of Mediators (Candidate)
Attention Deficit Disorder Association- Southern
Region
Affiliate, National Academy of Neuropsychology

AREAS OF
CONCENTRATION:

Individual and Family Therapy
Chemical Dependency
Stress Management and Biofeedback
Relationship Counseling
Psychological/Neuropsychological Testing
Sexual Abuse Issues
Anger Management
Mediation
Sex Offenders
Forensic Issues
Gay/Gender Issues

PROF RESUME
NICHOLAS EDD, PSY. D.

PROFESSIONAL EMPLOYMENT:
(Cont'd)

September 1981- September 1985

The Sherman Clinic- Psychological Associate
909 Frostwood, Suite 133
Houston, Texas 77024
(713) 468-7647

Supervisor; Jerome N. Sherman, Ph. D.

Duties: Individual, family and marital and sex therapy and psychological testing with children, adolescents and adults. Included neuropsychological, forensic and sex offender evaluations.

January 1981- September 1985

Psychological Associate
2128 Welsh
Houston, Texas 77019
(713) 527-8680

Supervisor: Donald B. Gautney, Ph. D.

Duties: Psychological Testing and Evaluation; Psychotherapy with children, adolescents and adults.

January 1977- August 1980

Jewish Vocational Service- Psychological Consultant
320 N. Dearborn, Ninth Floor
Chicago, Illinois 60610

Supervisor: Ralph K. Meister, Ph. D.

Duties: Intake evaluation, Group and Individual Therapy, Psychological Testing and Report Writing in rehabilitation setting with emotionally, mentally retarded and developmentally disabled population.

DOCTORAL INTERNSHIP:

Veterans Administration Medical Center
Psychological Service
2002 Holcombe Blvd.
Houston, Texas 77211
(713) 795-4111
September 1980- August 1981

PROFESSIONAL EMPLOYMENT:

September 1985- Present

Private Practice- Licensed Clinical Psychologist
Current Address:
11211 Katy Freeway, Suite 550
Houston, Texas 77079
(713) 647-8822

March 1983- December 1990

Center for the Retarded- Psychological Consultant
3550 W. Dallas
Houston, Texas 77019
(281) 528-6371
Supervisor: Gloria Fossati
Executive Director of Programs
Duties: Individual and Group Therapy.
Psychological testing and Evaluation with Mentally
Retarded Population, Behavior Management
Planning, Psychological representation in
Interdisciplinary Team Programming

June 1983- August 1988

Houston Community College System
Adjunct Faculty
Division of Social Sciences- Psychology
320 Jackson Hill
Houston, Texas 77002
Duties: Instructor- Psychology. Taught courses in
general, abnormal, personality and child
development.

Nicholas Edd, Psy. D.
The Edd Clinic for Psychotherapy and Counseling
11999 Katy Freeway, Suite 385
Houston, Texas 77079
(281) 558-6231

LICENSURE:

Licensed Clinical Psychologist
(Texas State Board of Examiners of Psychologists)

Licensed Sex Offender Treatment Provider
(Council on Sex Offender Treatment)

Member: Division of Forensic Psychology,
American Psychological Association

Member: Division of Neuropsychology, American
Psychological Association

Professional Mediator (General, Family, CPS)

CERTIFICATION:

Anger Resolution Therapist
Proficiency in Alcohol and Other
Substance Use Disorders

Professional Mediation

Advanced Family Mediation

TDPRS/CPS/CJA Mediation (Children First)

Level II Clinician: The Monarch 21 System and
Plethysmography.

Trauma and Addiction Disorders, Therapist Level 1

EDUCATION:

Doctor of Psychology (Psy. D.), Illinois School of
Professional Psychology, 1984

Master of Science (MS), Lamar University, 1979

Bachelor of Science (BS), Lamar University, 1972

THESIS (Master's Degree):

Prediction of Those Most Likely to Complete
Treatment in a Residential Drug Abuse Program
Based on Discriminate Function Analysis of MMPI
Profiles

**CLINICAL RESEARCH PROJECT
(Doctoral Degree):**

Analysis of Psychotherapeutic Technique with the
Borderline Patient Following Deterioration during
Treatment

**THE TEXAS CIVIL COMMITMENT OFFICE,
WITH THE ADMINISTRATIVE SUPPORT OF THE
TEXAS HEALTH AND HUMAN SERVICES COMMISSION**

Is

REQUESTING PROPOSALS

For

Sex Offender Treatment Services

RFP No. 537-16-153828

NIGP Class/Item Code(s): 952-15, 952-21, and 952-74

Release Date: June 7, 2016

Deadline for Submission: July 7, 2016 @ 2:00 P.M. Central Time

Table of Contents

<u>ARTICLE I. EXECUTIVE SUMMARY, DEFINITIONS, AND AUTHORITY</u>		<u>4</u>
1.1	EXECUTIVE SUMMARY	4
1.2	DEFINITIONS	4
1.3	AUTHORITY	6
1.4	MISSION STATEMENT	6
1.5	MISSION OBJECTIVE	6
<u>ARTICLE II. SCOPE OF WORK.....</u>		<u>7</u>
2.1	DESCRIPTION OF SERVICES/SPECIFICATIONS	7
2.1.1	TIERS	7
2.3	PERFORMANCE MEASURES AND ASSOCIATED REMEDIES	8
2.4	CONTRACT AND TERM	8
2.4.1	CONTRACT ELEMENTS	9
2.5	APPROVAL OF CONTRACT	9
2.5.1	OPTION TO EXTEND THE TERM OF THE CONTRACT	9
2.5.2	OPTION TO EXTEND SERVICES	10
2.6	AMENDMENTS AND ANNOUNCEMENTS REGARDING THIS RFP.....	ERROR!
BOOKMARK NOT DEFINED.		
2.6.1	RFP CANCELLATION/PARTIAL AWARD/NON-AWARD	10
2.6.2	RIGHT TO REJECT PROPOSALS OR PORTIONS OF PROPOSALS	10
2.6.3	COSTS INCURRED.....	10
2.6.4	INTERPRETIVE CONVENTIONS	ERROR! BOOKMARK NOT DEFINED.
2.7	NO GUARANTEE OF VOLUME, USAGE, OR COMPENSATION.....	11
<u>ARTICLE III. ADMINISTRATIVE INFORMATION</u>		<u>11</u>
3.1	SCHEDULE OF EVENTS.....	11
3.2	INQUIRIES.....	11
3.2.1	POINT OF CONTACT	11
3.2.2	QUESTIONS.....	12
3.2.3	RESPONSES.....	13
3.2.4	PROHIBITED COMMUNICATIONS.....	13
3.2.5	ASSUMPTIONS AND EXCEPTIONS	13
3.3	VENDOR CONFERENCE	14
3.4	SOLICITATION RESPONSE COMPOSITION	14
3.4.1	SOLICITATION RESPONSE	14
3.4.2	SUBMISSION IN TWO DISTINCT PARTS.....	15
3.4.3	SOLICITATION RESPONSE FORMAT.....	15

3.4.4 PAGE LIMIT AND SUPPORTING DOCUMENTATION 15

3.4.5 NARRATIVE PROPOSAL 15

3.4.6 PUBLIC INFORMATION ACT 15

3.5 SOLICITATION RESPONSE SUBMISSION AND DELIVERY 16

3.5.1 DEADLINE 16

3.5.2 LABELING 16

3.5.3 DELIVERY 16

3.5.4 ALTERATIONS, MODIFICATIONS, AND WITHDRAWALS 17

ARTICLE IV. SOLICITATION RESPONSE EVALUATION AND AWARD PROCESS 17

EVALUATION CRITERIA 17

4.1.1 CONFORMANCE WITH STATE LAW 17

4.1.2 MINIMUM QUALIFICATIONS 17

4.1.3 SPECIFIC CRITERIA..... 18

4.2 INITIAL COMPLIANCE SCREENING AND COMPETITIVE RANGE..... 18

4.3 ORAL PRESENTATIONS AND SITE VISITS 19

4.4 MULTIPLE AWARDS 19

ARTICLE V. REQUIRED RESPONDENT INFORMATION 19

5.1 RESPONDENT INFORMATION 19

5.1.1 COMPANY NARRATIVE..... 19

5.1.2 COMPANY PROFILE 20

5.2 PROJECT WORK PLAN..... 20

5.2.1 VALUE ADDED BENEFITS 21

5.2.2 APPENDICES..... 21

5.2.3 KEY STAFFING PROFILE..... 21

5.3 REFERENCES 22

5.4 MAJOR SUBCONTRACTOR INFORMATION 22

5.5 LITIGATION HISTORY 22

5.6 HISTORICALLY UNDERUTILIZED BUSINESSES (HUBS)..... 23

5.6.1 INTRODUCTION..... 23

5.7 HHSC’S ADMINISTRATIVE RULES 23

5.8 STATEWIDE ANNUAL HUB UTILIZATION GOAL..... 23

5.9 REQUIRED HUB SUBCONTRACTING PLAN 24

5.10 CPA CENTRALIZED MASTER BIDDERS LIST 24

5.10.1 NATIONAL INSTITUTE OF GOVERNMENTAL PURCHASING (NGIP) CLASS/ITEM
CODE(S):..... 25

5.11 HUB SUBCONTRACTING PROCEDURES – IF A RESPONDENT INTENDS TO
SUBCONTRACT... .. 25

5.11.1 IDENTIFY SUBCONTRACTING AREAS AND DIVIDE THEM INTO REASONABLE
LOTS..... 25

5.11.2 NOTIFY POTENTIAL HUB SUBCONTRACTORS 25

5.11.2.2.1 METHOD 2: RESPONDENT INTENDS TO SUBCONTRACT WITH HUB
 PROTÉGÉ(S): 26

5.11.2.3 METHOD 3: RESPONDENT INTENDS TO SUBCONTRACT WITH HUBS AND
 NON-HUBS (MEET OR EXCEED THE GOAL): 26

5.11.2.4 METHOD 4: RESPONDENT INTENDS TO SUBCONTRACT WITH HUBS AND NON-
 HUBS (DOES NOT MEET OR EXCEED THE GOAL):..... 27

5.11.3 WRITTEN JUSTIFICATION OF THE SELECTION PROCESS 27

5.12 METHOD 5: RESPONDENT DOES NOT INTEND TO SUBCONTRACT 28

5.13 POST-AWARD HSP REQUIREMENTS 28

5.14 HUB MENTOR PROTÉGÉ PROGRAM **ERROR! BOOKMARK NOT DEFINED.**

5.15 CONFLICTS 29

5.16 AFFIRMATIONS AND CERTIFICATIONS 29

ARTICLE VI. COST PROPOSAL..... 30

6.1 COST PROPOSAL..... 30

ARTICLE VII. GENERAL TERMS AND CONDITIONS 30

7.1 GENERAL CONDITIONS 30

7.2 INSURANCE 32

7.3 PROTEST 32

ARTICLE VIII. SUBMISSION CHECKLIST 32

APPENDICES AND EXHIBITS 34

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK

ARTICLE I. EXECUTIVE SUMMARY, DEFINITIONS, AND AUTHORITY

1.1 EXECUTIVE SUMMARY

The Texas Civil Commitment Office (TCCO), formerly known as the Office of Violent Sex Offender Management (OVSOM), with the administrative support of the Texas Health and Human Services Commission (HHSC), seeks qualified vendors to provide sex offender treatment services to Sexually Violent Predators (SVP) statewide, with an immediate need in Dallas, Harris, Tarrant and Travis counties. Services shall be provided in accordance with the specifications contained in this Request for Proposals (RFP).

The successful Respondent shall, in accordance with the terms identified within the resulting contract, provide all necessary personnel, equipment, materials, supplies, and services as specifically identified within the contract and do all things necessary for or incidental to, the provision of sex offender treatment services and associated programs for SVP clients. SVP clients are sex offenders who have been civilly committed pursuant to Texas Health and Safety Code, Chapter 841. The SVP clients have been adjudicated to be sexually violent predators that suffer from a behavioral abnormality which makes it likely that the Client would engage in repeated predatory acts of sexual violence. The SVP clients have a history of at least two convictions for a sexually violent offense and have been released from prison to the TCCO's supervision and treatment.

To be considered for award, Respondents must execute **Exhibit A**, Affirmations and Solicitation Acceptance, of this Solicitation and provide all other required information and documentation as set forth in this Solicitation.

Information regarding TCCO and its programs is available online and can currently be accessed at: <http://www.tcco.texas.gov>.

1.2 DEFINITIONS

The following terms used in this RFP shall, unless the context indicates otherwise, have the meanings set forth below:

“Absconder” means a SVP Client who leaves a facility without authorization or fails to return as required.

“Additional Services” means those additional services required to be furnished by the Respondent pursuant to changes in the TCCO policies from those in effect as of the date of the contract, which changes are not required by changes in laws, government regulations, or Court Orders generally applicable to the TCCO, and which changes cause an increase in cost of operating and managing the facility.

“Biennium” means any of the two (2) year periods beginning on September 1 and ending on August 31 of odd numbered years, which periods are used for budgetary purposes by the State of Texas.

“Case Manager” means a person employed by or under contract with the TCCO to perform duties related to treatment and supervision of a person civilly committed pursuant to Title 11, Health and Safety Code, Chapter 841.

“Child Safety Zone” The 1,000 foot buffer zone that must be maintained between sex offenders and any premises where children commonly gather, including schools, day-care facilities, playgrounds, public or private youth centers, or swimming pools. Any area within 1,000 feet of these types of premises is considered a child safety zone unless TCCO modifies the distance requirement and gives written notice of this modification to the Respondent.

“Compliance Standards” means contract requirements that have specific and clearly defined recoupment strategies to ensure that TCCO does not pay for services that are not received.

“Contract Monitor” means a TCCO employee responsible for technical administration of the contract.

“Contract Term” means the duration of the Contract.

“Court Orders” means any orders or judgments issued by a court of competent jurisdiction and any stipulations, agreements, or plans entered into in connection with litigation that are applicable to the operations, management, or maintenance of the facility and relate to the custodial care of SVP Clients. For purposes of the contract, this term includes such orders, judgments, stipulations, plans or agreements applicable to the TCCO.

“Day(s)” means any day of the week including Saturday, Sunday, State and Federal holidays, unless otherwise specified.

“Event of Default” means any of the events or circumstances described within Sections 2.8.D and 2.24.

“Fiscal Year” means any of the one (1) year periods beginning September 1 and ending August 31, which periods are used for annual budgetary purposes by the State of Texas.

“Free Exercise of Religion” means an act or refusal to act that is substantially motivated by sincere religious beliefs in which a Contractor cannot substantially burden.

“NCIC” means the National Crime Information Center operated under the authority of the Federal Bureau of Investigation.

“Non-appropriation” means the failure by the Legislature of the State, as part of its budgetary process, to appropriate money to be used for the Payments due hereunder.

“Payment or Payments” means amount(s) agreed to be paid by the TCCO to Contractor for services provided according to the contract.

“Quarter” means the time period that relates to the State Fiscal Year, with quarters beginning September 1, December 1, March 1 and June 1, unless specifically noted otherwise.

“Service Commencement Date” means the date on which Contractor shall begin providing services pursuant to the contract.

“Sexually Violent Predator (SVP or SVP Client)” means a person civilly committed pursuant to Texas Health and Safety Code, Chapter 841, who has been found to be a repeat sexually violent offender and to suffer from a behavioral abnormality that makes the person likely to engage in a predatory act of sexual violence.

“TCIC” means the Texas Crime Information Center operated under the authority of the Texas Department of Public Safety.

“TCCO Policies” means all written policies, procedures, standards, guidelines, directives and manuals of the TCCO, applicable to the supervision and treatment of SVP Clients.

“Treatment Team Meeting” means a meeting between the TCCO Case Manager, the Sex Offender Treatment Provider, the SVP Client and any others deemed appropriate by the TCCO Case Manager to determine current status of the SVP Client.

1.3 AUTHORITY

TCCO is soliciting the services listed herein under Chapter 841 of the Texas Health & Safety Code.

1.4 MISSION STATEMENT

HHSC’s mission for this procurement is to competitively solicit proposals from entities interested in contracting with the TCCO for sex offender treatment services:

1.5 MISSION OBJECTIVE

HHSC’s objective for this procurement is to obtain proposals that will meet the stated objectives of TCCO, the Legislative Budget Board (LBB), and the Governor's office in providing quality sex offender treatment services in an efficient, effective manner.

1.6 Interpretive Conventions

Whenever the terms “shall,” “must,” or “is required” are used in this RFP in conjunction with a specification or performance requirement, the specification or requirement is mandatory. A respondent’s failure to address or meet any mandatory requirement in a proposal may be cause for TCCO’s rejection of the proposal.

Whenever the terms “can,” “may,” or “should” are used in this RFP in conjunction with a specification or performance requirement, the specification or performance requirement is a desirable, but not mandatory, requirement. Accordingly, a respondent’s failure to address or provide any items so referred to will not be the cause for rejection of the proposal, but will likely result in a less favorable evaluation.

ARTICLE II. SCOPE OF WORK

2.1 DESCRIPTION OF SERVICES/SPECIFICATIONS

The TCCO requires the provision of sex offender treatment services and associated programs for Sexually Violent Predators (SVP) who are subject to civil commitment pursuant to Chapter 841 of the Texas Health and Safety Code and Chapter 420A of the Texas Government Code. SVP clients have been found to be a repeat sexually violent offender suffering from a behavioral abnormality that makes the person likely to engage in a predatory act of sexual violence. TCCO is interested in awarding multiple contracts to well-qualified Contractors for the provision of SVP client treatment with associated services across the state.

Contractors shall, in accordance with the terms identified within the Contract, provide all necessary personnel, equipment, supplemental materials, supplies, and services as specifically identified within the contract and do all things necessary for, or incidental to, the provision of SVP client treatment services and associated programs for SVP clients within a defined service area. Contractors shall also provide complete copies of any assessment tools, instruments and program materials proposed as a substitution or enhancement to Contractor’s proposed program design. Contractors will provide sex offender treatment and related services at the Contractor’s approved place of business or at another facility or facilities that house SVP clients.

Contractors may submit proposals to provide services in one or multiple counties.

2.1.1 Tiers

The majority of services will be for SVP clients who are in tier five (5) of the civil commitment program. Clients who transition to tier five (5) have completed all the tasks and targets of the total confinement sex offender program and have been approved to live in less-restrictive housing and it has been determined the transfer is in the best interest of the SVP client and conditions will be imposed that adequately protect the community. The proposed sex offender treatment shall utilize best practices for sex offenders and ensure continuity of care. The proposed program shall be based on cognitive behavioral programs incorporating the Good Lives and Risk-Needs-Responsivity Model.

There will also be SVP clients who are based in the community due to unique needs but are still in need of sex offender treatment. These clients are usually placed in nursing homes or supervised living facilities. The proposed program for these clients in Tiers one (1) – four (4) shall be based on cognitive behavioral programs incorporating the Good Lives and Risk-Needs-Responsivity Model. The proposed program shall describe

how clients will advance through the tiers and the number of hours of group and individual treatment to be utilized in each tier.

The proposed program for Tier five (5) shall provide continuity of care for any client transitioning to Tier five (5). The proposed Tier five (5) program shall ensure continuity of care and take in consideration the clients in the Texas Civil Commitment Center are receiving the following programming:

Tier One (1) – Preparation for Change. Includes curricula (Thinking for a Change (T4C), Building a Balanced Life (BBL), & Treatment Readiness for You (TRY)) that will help the client with building problem solving skills and teaches the client how good decisions are made and address individual needs as well as considers the level of skill a client has for managing their life.

Tier Two (2) – Awareness. The client will participate in disclosure and discovery group, which includes curricula that covers offending behavior, relationships, sexual history and developing behaviors toward establishing lifestyles free from offending behavior.

Tier Three (3) – Healthy Alternative Behaviors. The client will learn to control their risk factors, build relationship skills, assist clients with empathy and emotional awareness, and on-going development and supervised practice of self-control behaviors, thoughts, and emotions.

Tier Four (4) – Maintenance and Comprehensive Discharge Planning. The client will receive support and guidance with enforcing and supporting the new skills they learned in treatment. The client will also prepare to live independently through individually tailored curriculum using offense-focused group presentation, cognitive restructuring, role play, and life planning.

NOTE: Before submitting a proposal, Respondents should carefully review Appendix B: Contractor Roles and Responsibilities, for detailed TCCO requirements for sex offender treatment services.

2.3 PERFORMANCE MEASURES AND ASSOCIATED REMEDIES

TCCO will monitor the performance of the contract(s) issued under this RFP. All services and deliverables under the contract(s) shall be provided at an acceptable quality level and in a manner consistent with acceptable industry standard, custom, and practice.

The Contractor shall adhere to the Compliance Standards, described in Appendix B: Contractor Roles and Responsibilities, Section 4.0. MM.

2.4 CONTRACT AND TERM

The TCCO intends to award multiple indefinite quantity contracts as a result of this Solicitation. The Contract period will consist of a five (5) year base period, subject to appropriations, with the option to renew for two additional (2) two-year terms to extend services for a potential contract period of nine (9) years.

The selected Respondents shall be bound to specific terms and conditions found in **Exhibit B**, TCCO Uniform Terms and Conditions. However, to the extent Respondent is a governmental entity, responding to this Solicitation in its capacity as a governmental entity, certain terms and conditions may not be applicable. Furthermore, to the extent permitted by law, if a Solicitation response is received from a governmental entity, the TCCO reserves the right to enter into an interagency or interlocal agreement with the governmental entity in lieu of awarding a contract as a result of this Solicitation.

Total compensation under any contract awarded shall not exceed the amount of \$100,000.00. The TCCO reserves the right to increase this amount if additional funds become available.

2.4.1 Contract Elements

The following documents may be incorporated into any contract resulting from this Solicitation: this RFP, all attachments and exhibits to this RFP, all modifications, addenda, and amendments issued by the TCCO through HHSC regarding this Solicitation, and the successful Respondent's Solicitation Response. Additionally, TCCO's Uniform Terms and Conditions, provided in Exhibit B shall be incorporated into the contract. However, any term, condition, or other part of the Respondent's Solicitation Response will not constitute part of the contract if: (1) it has been rejected by the HHSC and TCCO, (2) it is not accepted by the HHSC and TCCO, (3) it conflicts with applicable law, or (4) it conflicts with the contract, this RFP, exhibits to this RFP or the contract, or applicable terms and conditions and it has not been expressly incorporated into the contract writing by the TCCO. TCCO reserves the right to negotiate additional contract terms and conditions.

2.5 APPROVAL OF CONTRACT

The contract is subject to review and approval of the TCCO and shall not be binding until so approved.

2.5.1 Option to Extend the Term of the Contract

- A. The TCCO may, at its sole discretion, extend the term of the contract by written notice to the Contractor within ten (10) days of contract expiration, provided that the TCCO shall give the Contractor a preliminary written notice of its intent to extend at least sixty (60) days before the contract expires.
- B. The preliminary notice does not commit the TCCO to an extension.
- C. If the TCCO exercises this option, the extended contract shall be considered to include this option provision.

2.5.2 Option to Extend Services

- A. The TCCO may require continued performance of any services within the limits and at the rates specified in the contract.
- B. The TCCO reserves the right to extend the contract for a one hundred and eighty (180) day period at the end of each contract and/or extension period for the purpose of re-advertising the service, awarding a new contract and transitioning into a new contract.
- C. This option provision may be exercised more than once, but the total extension of performance hereunder shall not exceed two (2) six (6) month periods.
- D. The TCCO may exercise the option by written notice to the Contractor within the period specified in Section 2.5.1.

TCCO's detailed Contractor requirements are provided in Appendix B: Contractor Roles and Responsibilities.

2.5.3 RFP Cancellation/Partial Award/Non-Award

HHSC, on behalf of TCCO, reserves the right to cancel this RFP, to make a partial award, or to make no award if it determines that such action is in the best interest of the State of Texas.

2.5.4 Right to Reject Proposals or Portions of Proposals

HHSC, on behalf of TCCO may, in its discretion, reject any and all proposals or portions thereof.

2.5.5 Costs Incurred

Respondents understand that issuance of this RFP in no way constitutes a commitment by HHSC or TCCO to award a contract or to pay any costs incurred by a respondent in the preparation of a response to this RFP. HHSC and TCCO are not liable for any costs incurred by a respondent prior to issuance of or entering into a formal agreement, contract, or purchase order. Costs of developing proposals, preparing for or participating in oral presentations and site visits, or any other similar expenses incurred by a respondent are entirely the responsibility of the respondent, and will not be reimbursed in any manner by the State of Texas.

2.7 NO GUARANTEE OF VOLUME, USAGE, OR COMPENSATION

The TCCO makes no guarantee of volume, usage, or total compensation to be paid to Contractor under any contract resulting from this Solicitation.

External factors may affect the contract, including budgetary and resource constraints. Any contract resulting from this Solicitation is subject to the availability of state and/or federal funds. As of the issuance of this Solicitation, the TCCO anticipates that budgeted funds will be available to reasonably fulfill the project requirements. If, however, funds are not available, the TCCO reserves the right to withdraw the Solicitation or terminate any resulting contract without penalty.

ARTICLE III. ADMINISTRATIVE INFORMATION

3.1 SCHEDULE OF EVENTS

EVENT	DATE/TIME
Solicitation Release Date	June 7, 2016
Vendor Conference Texas Civil Commitment Offices 8407 Wall Street Austin, Texas 78754 Meeting Room 102	June 16, 2016, 2016 @ 10:00 -11:30 AM Central Time
Deadline for Submitting Vendor Questions	June 21, 2016@ 5:00 PM Central Time
Vendor Questions Posted on the ESBD	June 30, 2016 @ 5:00 PM Central Time
Deadline for submission of Solicitation Responses [NOTE: Responses must be RECEIVED by HHSC by the deadline.]	JULY 7, 2016AT 2:00 PM Central Time
Anticipated Contract Start Date	July 30, 2016

NOTE: These dates represent a tentative schedule of events. HHSC on behalf of The TCCO reserves the right to modify these dates at any time upon notice posted on the Electronic State Business Daily (ESBD) website at: <http://esbd.cpa.state.tx.us/>.

3.2 INQUIRIES

3.2.1 Point of Contact

All requests, questions, or other communications about this Solicitation shall be made in writing to the HHSC's Purchasing Department, addressed to the person listed below. All

communications between Respondents and TCCO or HHSC staff members concerning this Solicitation are strictly prohibited. Failure to comply with these requirements may result in disqualification of Respondent's Solicitation Response.

Name	Charlotte Brooks, M.Ed., CTCM
Title	Procurement Project Manager Procurement and Contracting Services Texas Health and Human Services Commission
Address	1100 W. 49 th St. - MC 2020
City, State, Zip	Austin, Texas 78756
Phone	(512) 406-2561
Fax	(512) 406-2693
Email	Charlotte.Brooks@hhsc.state.tx.us

NOTE: A map of the HHSC/DSHS campus and PCS building is provided in Appendix A.

3.2.2 Questions

The TCCO will allow written requests for clarification of this Solicitation. Questions must be in writing and sent by U.S. first class mail or email to the Point of Contact listed in section 3.2.1 above. Respondents' names will be removed from questions in the any responses released. Questions shall be submitted in the following format. Submissions that deviate from this format may not be accepted:

Identifying Solicitation number
Section number
Paragraph number
Page number
Text of passage being questioned
Question

NOTE: Questions or other written requests for clarification must be received by the Point of Contact by the deadline set forth in Section 3.1 above. However, the TCCO, at its sole discretion, may respond to questions or other written requests received after the deadline. Please provide company name, address, phone number; fax number, e-mail address, and name of contact person when submitting questions.

Respondents must notify the Point of Contact of any ambiguity, conflict, discrepancy, exclusionary specification, omission or other error in the Solicitation in the manner and by the deadline for submitting questions. If a Respondent fails to properly and timely notify the Point of Contact of such issues, the Respondent submits its Solicitation Response at its own risk, and if awarded a contract: (1) shall have waived any claim of

error or ambiguity in the Solicitation and any resulting contract, (2) shall not contest the interpretation by TCCO or HHSC of such provision(s), and (3) shall not be entitled to additional compensation, relief, or time by reason of ambiguity, error, or later correction.

3.2.3 Responses

Responses to questions or other written requests for clarifications will be posted on the Electronic State Business Daily (ESBD) (<http://esbd.cpa.state.tx.us/>). The TCCO reserves the right to amend answers prior to the deadline for submission of Solicitation Responses. Amended answers/official responses will be posted on the ESBD. It is Respondent's responsibility to check the ESBD for updated responses.

3.2.4 Prohibited Communications

On issuance of this Solicitation, except for the written inquires described in Section 3.2.1 above, the TCCO, HHSC, their representative(s), or partners will not answer questions or otherwise discuss the contents of this Solicitation with any potential Respondent or their representative(s). Attempts to ask questions by phone or in person will not be allowed or recognized as valid. **Failure to observe this restriction may disqualify the Respondent.** Respondent shall rely only on written statements issued through or by the point of contact as provided in Section 3.2.1 of this Solicitation. This restriction does not preclude discussions between affected parties for the purposes of conducting business unrelated to this Solicitation.

3.2.5 Assumptions and Exceptions

No assumptions should be included in a Solicitation Response. All issues or questions that might be advanced or addressed by way of assumption should be submitted pursuant to Section 3.2.2. **The inclusion of assumptions in a Solicitation Response may result in a Respondent not being awarded a contract.**

A Solicitation Response should be responsive to the Solicitation as worded, not with any assumption that any or all terms, conditions, or provisions of the Solicitation will be negotiated. Furthermore, all Solicitation Responses constitute binding offers. **Any Solicitation Response to this Solicitation that includes any type of disclaimer or other statement indicating that the response does not constitute a binding offer will be disqualified.** Respondents are highly encouraged, in lieu of including exceptions in their Solicitation Responses, to address all issues that might be advanced by way of exception by submitting such issues pursuant to Section 3.2.2. Any exception included in a Solicitation Response may result in a Respondent not being awarded a contract. If a Respondent includes exceptions in its Solicitation Response, Respondent is required to use the Exceptions Form included as **Exhibit C** to this Solicitation and provide all information requested on the form (Solicitation Section Number, Solicitation Section Title, Language to which Exception is Taken, Proposed Language, and Statement as to whether or not, by indicating only "yes" or "no," Respondent still wants to be considered for a contract award if the exception is denied). Any exception that does not provide all

required information in the format set forth in **Exhibit C** may be rejected without consideration.

No exception -- nor any term, condition, or provision in a Solicitation Response that differs, varies from, or contradicts this Solicitation -- will be considered to be a part of any contract resulting from this Solicitation unless expressly made a part of the contract in writing by the TCCO.

3.2.6 AMENDMENTS AND ANNOUNCEMENTS REGARDING THIS RFP

HHSC, on behalf of TCCO, will post all official communication regarding this RFP to the Electronic State Business Daily (ESBD). HHSC reserves the right to revise the RFP at any time. Any changes, amendments, or clarifications will be made in the form of written responses to respondent questions, amendments, or addendum issued by HHSC on ESBD. Respondents should check the website frequently for notice of matters affecting the RFP. To access the website, go to the [ESBD search](#) page and enter a search for this procurement at <http://esbd.cpa.state.tx.us/>.

3.3 VENDOR CONFERENCE

HHSC will hold a vendor conference on **June 16, 2016** at the time and location designated in Section 3.1 Schedule of Events. Vendor conference participation is strongly recommended, but is not required.

HHSC will give respondents the opportunity to submit written questions at the conference. All questions should reference the appropriate RFP page and section number. HHSC will attempt to respond to questions at the vendor conference, but responses are not official until posted in final form on the ESBD. HHSC reserves the right to amend answers prior to the proposal submission deadline.

3.4 SOLICITATION RESPONSE COMPOSITION

3.4.1 Solicitation Response

Respondent shall submit one (1) original Proposal and four (4) copies of the Proposal. An authorized representative must sign the original in ink. In addition, submit one electronic copy of the proposal on a portable media, such as a USB flash drive or compact disk, compatible with Microsoft Office 2000. The electronic copy must be organized with a file format that corresponds with the format described in Section 3.4.3 Solicitation Response and Format.

Failure to submit all required documents in required format(s) may result in disqualification of the Solicitation Response without further consideration. Respondent shall prepare a Solicitation Response that clearly and concisely represents its qualifications and capabilities under this Solicitation. Expensive bindings, colored

displays, promotional materials, etc., are not necessary or desired. Respondent should focus on the instructions and requirements of the Solicitation.

3.4.2 Submission in Two Distinct Parts

Solicitation Responses shall be submitted in two (2) distinct files - the Narrative Proposal and the Cost Proposal. The NARRATIVE PROPOSAL must not include cost and pricing information. Further, while narrative and cost proposals may be on the same storage device, they must be on separately, clearly marked files.

3.4.3 Solicitation Response Format

For ease of evaluation, the Solicitation Response shall be presented in a format that corresponds to, and references sections outlined within, this Solicitation and shall be presented in the same order. Responses to each section and subsection shall be labeled clearly to indicate the item being addressed. Exceptions to this will be considered during the evaluation process.

3.4.4 Page Limit and Supporting Documentation

Solicitation Responses should **not exceed 25 pages** in length, not including appendices or attachments, and should be formatted as follows: 8 ½" x 11" paper, 12-pitch font size, and single-sided. If complete responses cannot be provided without referencing supporting documentation, such documentation must be provided with the Solicitation Response, with specific references made to the tab, page, section, and/or paragraph where the supporting information can be found.

3.4.5 Narrative Proposal

Respondent must describe clearly, specifically, and as completely as possible, its proposed methodology for achieving the requirements of this Solicitation, and in conformance with the general requirements in Section 3.4.1 above. Respondent should identify all tasks to be performed, including project activities, materials, and other products, services, and reports to be generated during the contract period and relate them to the stated purposes and specifications described in this Solicitation.

3.4.6 Public Information Act

Proposals will be subject to the Texas Public Information Act (the Act), located in Texas Government Code Chapter 552 and may be disclosed to the public upon request. Subject to the Act, respondents may protect trade secret and confidential information from public release. Respondents who wish to protect portions of the Solicitation Response from

public disclosure should familiarize themselves with this law. Information pertaining to this Solicitation will be withheld or released only in accordance with the PIA.

The TCCO will process all public information requests from the public in accordance with the procedures outlined in PIA. Information regarding PIA may be accessed on the Texas Attorney General's website: <https://www.texasattorneygeneral.gov/>.

3.5 SOLICITATION RESPONSE SUBMISSION AND DELIVERY

3.5.1 Deadline

Solicitation Responses must be received at the address in Section 3.6.3 and date and time-stamped by the HHSC no later than as specified in Section 3.1. The responsibility rests exclusively with the Respondent to ensure that its Solicitation Response is timely date and time-stamped by the HHSC. Respondents may submit their Solicitation Responses any time prior to the deadline.

NOTE: A US Postal Service (USPS) postmark or round validation stamp; a mail receipt with the date of mailing stamped by the USPS; a dated shipping label, invoice, or receipt from a commercial carrier; or any other documentation of delivery in lieu of the on-site time stamp WILL NOT be accepted.

3.5.2 Labeling

Solicitation Responses shall be placed in a sealed envelope or box and clearly labeled as follows:

SOLICITATION NO:	RFP No. 537-16-153828
SOLICITATION NAME:	Sex Offender Treatment Services
SOLICITATION RESPONSE DEADLINE:	July 7, 2016

Neither the TCCO nor HHSC will be held responsible for Solicitation Response envelopes mishandled as a result of being improperly prepared. It is Respondent's responsibility to mark appropriately and deliver the Solicitation Response to the HHSC by the specified date and time.

3.5.3 Delivery

Respondent must deliver Solicitation Responses by one of the methods below. Solicitation Responses submitted by any other method (e.g. facsimile or telephone) will NOT be considered.

U.S. Postal Service	Overnight/Express Mail and Hand Delivery
Charlotte Brooks, M.Ed., CTCM Procurement Project Manager Procurement and Contracting Services Texas Health and Human Services Commission PCS Building 1100 W. 49 th St. - MC 2020 Austin, TX 78756	Charlotte Brooks, M.Ed., CTCM Procurement Project Manager Procurement and Contracting Services PCS Building-Bid Room Texas Health and Human Services Commission 1100 W. 49 th St. - MC 2020 Austin, TX 78756

NOTE: All Solicitation Responses become the property of the TCCO after submission.

3.5.4 Alterations, Modifications, and Withdrawals

Prior to the Solicitation Response submission deadline, a Respondent may: (1) withdraw its Solicitation Response by submitting a written request to the Point of Contact identified in Section 3.2.1; or (2) modify its Solicitation Response by submitting a written amendment to the Point of Contact identified in Section 3.2.1. The TCCO may request Solicitation Response modifications at any time.

ARTICLE IV. SOLICITATION RESPONSE EVALUATION AND AWARD PROCESS

EVALUATION CRITERIA

4.1.1 Conformance with State Law

Solicitation Responses shall be evaluated in accordance with Chapters 2155-2157 of the Texas Government Code. The TCCO shall not be obligated to accept the lowest priced Solicitation Response, but shall make an award to the Respondent that provides the best value to the State of Texas.

4.1.2 Minimum Qualifications

Respondents and employees of Respondents who will provide sex offender treatment services as required in this solicitation must meet the minimum qualifications listed below. Furthermore, Solicitation Responses that appear unrealistic in terms of technical

commitment, that show a lack of technical competence, or that indicate a failure to comprehend the risk and complexity of a potential contract may be rejected.

- 4.1.2.1 Respondents must be Licensed Sex Offender Treatment Providers (LSOTP) or Affiliate Sex Offender Treatment Providers (ASOTP) and must have recently been in business for a minimum of two (2) years, or the principals/owners must have had recent ownership/executive management experience in a previous company that provided sex offender treatment services. Affiliate Sex Offender Treatment Providers shall achieve certification as a Licensed Sex Offender Treatment Provider within twelve (12) months from the date of the contract award.
- 4.1.2.2 Respondents shall have demonstrated experience in the provision of sex offender treatment services; and
- 4.1.2.3 Respondents must be financially solvent and adequately capitalized.

4.1.3 Specific Criteria

Solicitation Responses shall be consistently evaluated and scored in accordance with the following criteria, listed in order of preference:

- 4.1.2.1 Cost (45%)
- 4.1.2.2 Experience (25%)
- 4.1.2.3 Past Performance and References (5%)
- 4.1.2.4 Program Design (25%)

NOTE: In order to clarify any response, the Solicitation evaluation committee may contact references provided in response to this Solicitation, contact Respondent's clients, or solicit information from any available source concerning any aspect of the Solicitation deemed pertinent to the evaluation process.

4.2 INITIAL COMPLIANCE SCREENING AND COMPETITIVE RANGE

The HHSC will perform an initial screening of all Solicitation Responses received. Unsigned Solicitation Responses and Solicitation Responses that do not include all required forms and sections are subject to rejection without further evaluation.

The TCCO may determine that certain Solicitation Responses are within the competitive range. If the TCCO elects to limit award consideration to a competitive range, the competitive range will consist of the Solicitation Responses that receive the highest or most satisfactory ratings, based on the published evaluation criteria and procedures governing this procurement. The TCCO, in the interest of administrative efficiency, place reasonable limits on the number of Solicitation Responses that will be included in the competitive range.

4.3 ORAL PRESENTATIONS AND SITE VISITS

The TCCO may require an oral presentation from any or all Respondents. Respondents will be provided with advance notice of any such oral presentation and are responsible for their own presentation equipment. Failure to participate in the requested presentation may eliminate a Respondent from further consideration. The TCCO is not responsible for any costs incurred by the Respondent in preparation for any oral presentation.

4.4 MULTIPLE AWARDS

It is the intent of the TCCO to award one or more contracts under this Solicitation. Any award is contingent upon approval of the TCCO. If, for any reason, a final contract cannot be executed with a Contractor selected for award within ninety (90) days of the HHSC and TCCO's determination to seek to contract with that Contractor, the TCCO, upon written notice to all Respondents, may negotiate a contract with the next highest scoring Respondent or may withdraw this Solicitation.

4.5 BEST AND FINAL OFFERS (BAFOS)

The TCCO may, but is not required to, permit Respondents to prepare one or more revised offers. For this reason, Respondents are encouraged to treat their original Solicitation Responses, and any revised offers requested by the TCCO, as best and final offers.

ARTICLE V. REQUIRED RESPONDENT INFORMATION

5.1 RESPONDENT INFORMATION

Respondent must provide satisfactory evidence of its ability to manage and coordinate the types of activities described in this Solicitation and to produce the specified goods or services on time. Along with the Solicitation Response requested in Article III, Respondent must provide the following information:

5.1.1 Company Narrative

Provide a detailed narrative explaining why Respondent is qualified to provide the services enumerated in Article II, focusing on its company's key strengths and competitive advantages.

5.1.2 Company Profile

Provide a company profile to include:

- (a) The company ownership structure (corporation, partnership, LLC, or sole proprietorship), including any wholly-owned subsidiaries, affiliated companies, or joint ventures. *(Please provide this information in a narrative and as a graphical representation)* If Respondent is an Affiliate of, or has a joint venture or strategic alliance with, another company, Respondent must identify the percentage of ownership and the percentage of the parent's ownership. The entity performing the majority of the Work under a contract, throughout the duration of the contract, must be the primary bidder. Finally, please provide your proposed operating structure for the services requested under this Solicitation and which entities (i.e. parent company, Affiliate, Joint Venture, subcontractor) will be performing them;
- (b) The year the company was founded and/or incorporated. If incorporated, please indicate the state where the company is incorporated and the date of incorporation;
- (c) The location of your company headquarters and any field office(s) that may provide services for any resulting contract under this Solicitation;
- (d) The number of employees in your company, both locally and nationally, and the location(s) from which employees may be assigned;
- (e) The name, address, and telephone number of Respondent's point of contact for any resulting contract under this Solicitation; and
- (f) Indicate whether your company has ever been engaged under a contract by any Texas state agency. If "Yes," specify when, for what duties, and for which agency.

5.2 PROJECT WORK PLAN

Describe the Respondent's proposed processes and methodologies for providing all components of the Mission Results/Scope of Work described in Article II Scope of Work.

In addition, the Respondent must provide the following:

- a. A copy of the respondent's current Council on Sex Offender Treatment (CSOT) license and primary professional license.
 - b. A summary of the respondent's background and experience in conducting assessments and providing treatment services to sex offenders and detail of any experience providing services to civil commitment clients. This summary shall include the number of years working with sex offenders, the average number of sex offenders served in a year and examples of evidence-based practices used in the respondent's approach to sex offender treatment.
 - c. A concise and complete description of the assessment process to include the tools utilized, demonstrating compliance with the requirements in Appendix B: Contractor Roles and Responsibilities, Section 4, Mandatory Requirements for Sex Offender Treatment Services, Part A, including any additional testing that may be used.
 - d. An example of an assessment report using the TCCO assessment template provided as Appendix E: Assessment Report Form, using fictitious or redacted names and identifiers information demonstrating compliance with the requirements in Appendix B: Contractor Roles and Responsibilities, Section 4, Mandatory Requirements for Sex Offender Treatment Services, Part A-C.

5.2.1 Value Added Benefits

Describe any services or deliverables that are not required by the RFP that the respondent proposes to provide at no additional cost to TCCO. Respondents are not required to propose value-added benefits, but inclusion of such benefits may result in a more favorable evaluation.

NOTE: If Respondent is an out-of-state company, a Certificate of Authority from the Secretary of State to do business in Texas must be provided before contract award.

5.2.2 Appendices

Include the following appendices to the respondent's Business Proposal:

- Assessment Report Example (using Appendix E Assessment Report Form), and as described in Section 5.2: Project Work Plan, (d).
- Appendix J: Pricing Schedule.

5.2.3 Key Staffing Profile

Respondent must provide a key staffing profile and resumes for staff that will be responsible for the performance of the services requested under this Solicitation.

5.3 REFERENCES

Respondent shall provide a minimum of three (3) references from similar contracts or projects performed, preferably for state and/or local government entities, within the last three (3) years. Respondent must verify current contacts. Information provided shall include:

- Client name;
- Contract/Project description;
- Total dollar amount of contract/project;
- Start and End dates of the Contract/Project;
- Types of clients served, i.e. sex offenders, mental health, developmentally disabled;
- Key staff assigned to the referenced contract/project that will be designated for work under this Solicitation; and
- Client contract/project manager name, telephone number, fax number, and e-mail address.

5.4 MAJOR SUBCONTRACTOR INFORMATION

In addition to the requirements of Article II, Respondent must identify any major subcontractors whom Respondent intends to utilize in performing fifteen percent (15%) or more of any project. Respondent must indicate whether or not Respondent holds any financial interest in any major subcontractor. It may be required as a condition of award that an authorized officer or agent of each proposed major subcontractor sign a statement to the effect that the subcontractor has read, and will agree to abide by, Respondent's obligations under any contract awarded pursuant to this Solicitation.

5.5 LITIGATION HISTORY

Respondent must include in its Solicitation Response a complete disclosure of any alleged or significant contractual failures. In addition, Respondent must disclose any civil or criminal litigation or investigation pending over the last five (5) years that involves Respondent or in which Respondent has been judged guilty or liable. Failure to comply with the terms of this provision may disqualify any Respondent. Solicitation Response may be rejected based upon Respondent's prior history with the State of Texas or with any other party that demonstrates, without limitation, unsatisfactory performance, adversarial or contentious demeanor, or significant failure(s) to meet contractual obligations.

5.6 HISTORICALLY UNDERUTILIZED BUSINESS (HUB) PARTICIPATION REQUIREMENTS

In accordance with Texas Government Code [Chapter 2161, Subchapter F, §2161.252 \(b\)](#) a proposal that does not contain a [HUB Subcontracting Plan](#) (HSP) is non-responsive; and in accordance with Texas Administrative Code §20.14 (b) (3). Responses that do not include a completed HSP in accordance with this subsection shall be rejected due to material failure to comply with the Advertised specifications.

5.6.1 Introduction

The sole point of contact for HUB inquires:

Texas Health and Human Services Commission

Karen Williams, HUB Coordinator

Phone: (512) 406-2541

E-mail: karen.williams2@hhsc.state.tx.us

HHSC and TCCO is committed to promoting full and equal business opportunities for businesses in state contracting in accordance with the goals specified in the State of Texas Disparity Study. HHSC encourages the use of Historically Underutilized Businesses (HUBs) through race, ethnic and gender-neutral means. HHSC has adopted administrative rules relating to HUBs and a [Policy on the Utilization of HUBs](#) which is located on HHSC's website, and is appropriately administered on behalf of TCCO for this RFP.

Pursuant to Texas Government Code [§2161.181](#) and [§2161.182](#) and the HUB policy and rules, state agencies are required to make a good faith effort to increase HUB participation in its contracts. TCCO may accomplish the goal of increased HUB participation by contracting directly with HUBs or indirectly through subcontracting opportunities.

5.7 HHSC'S ADMINISTRATIVE RULES

The CPA rules are located in Texas Administrative Code [Title 34, Part 1, Chapter 20, Subchapter B](#). If there are any discrepancies between CPA's administrative rules and this RFP the rules shall take priority.

5.8 STATEWIDE ANNUAL HUB UTILIZATION GOAL

The CPA has established **statewide annual HUB utilization goals** for different categories of contracts in 34 Texas Administrative Code [§20.13](#). In order to meet or exceed the **statewide annual HUB utilization goals**, HHSC and TCCO encourages

outreach to certified HUBs. Contractors shall make a good faith effort to include certified HUBs in the procurement process.

This procurement is classified as an **All Other Services** procurement under the CPA rule and therefore has a **statewide annual HUB utilization goal of 26.0%** per fiscal year.

5.9 REQUIRED HUB SUBCONTRACTING PLAN

In accordance with Texas Government Code [§2161.252](#) each state agency that considers entering into a contract with an expected value of \$100,000 or more shall, before the agency solicits bids, proposals, offers, or other applicable expressions of interest for the contract, determine whether there will be subcontracting opportunities under the contract. If the state agency determines that there is that probability, the agency shall require that each bid, proposal, offer, or other applicable expression of interest for the contract include a historically underutilized business subcontracting plan

In accordance with 34 Texas Administrative Code [§20.14](#) of the HUB Rule, state agencies may determine that subcontracting is probable for only a subset of the work expected to be performed or the funds to be expended under the contract. If an agency determines that subcontracting is probable on only a portion of a contract, it shall document its reasons in writing for the procurement file.

HHSC, in coordination with TCCO, has determined that subcontracting opportunities are probable for this RFP. As a result, the respondent must submit an HSP with its proposal. The HSP is required whether a respondent intends to subcontract or not.

Submit one (1) copy of the HSP, in accordance with the RFP, in a separate sealed envelope, with the RFP submission, labeled: "HUB Subcontracting Plan", and include all supporting documentation in accordance with the HSP.

In the HSP, a respondent must indicate whether it is a Texas certified HUB. Being a certified HUB does not exempt a respondent from completing the HSP requirement.

HHSC, in coordination with TCCO, shall review the documentation submitted by the respondent to determine if a good faith effort has been made in accordance with solicitation and HSP requirements. During the good faith effort evaluation, HHSC may, at its discretion, allow revisions necessary to clarify and enhance information submitted in the original HSP.

If HHSC, in coordination with TCCO, determines that the respondent's HSP was not developed in good faith, the HSP will be considered non-responsive and will be rejected as a material failure to comply with advertised specifications. The reasons for rejection shall be recorded in the procurement file.

5.10 CPA CENTRALIZED MASTER BIDDERS LIST

Respondents may search for HUB subcontractors in the CPA's Centralized Master Bidders List (CMBL) HUB Directory, which is located on the CPA's website at <http://www2.cpa.state.tx.us/cmb/cmbhub.html>. For this procurement, HHSC, in coordination with TCCO, have identified the following class and item codes for potential subcontracting opportunities:

5.10.1 National Institute of Governmental Purchasing (NGIP)

Class/Item Code(s):

- 952-15 Case Management
- 952-21 Counseling
- 952-74 Referral Services

Respondents are not required to use, nor limited to using, the class and item codes identified above, and may identify other areas for subcontracting.

Neither HHSC or TCCO endorses, recommends or attests to the capabilities of any company or individual listed on the CPA's CMBL. The list of certified HUBs is subject to change, so respondents are encouraged to refer to the CMBL often to find the most current listing of HUBs.

5.11 HUB SUBCONTRACTING PROCEDURES – IF A RESPONDENT INTENDS TO SUBCONTRACT

An HSP must demonstrate that the respondent made a good faith effort to comply with the HUB policies and procedures. The following subparts outline the items that HHSC will review in determining whether an HSP meets the good faith effort standard. A respondent that intends to subcontract must complete the HSP to document its good faith efforts.

5.11.1 Identify Subcontracting Areas and Divide Them into Reasonable Lots

A respondent should first identify each area of the contract work it intends to subcontract. Then, to maximize HUB participation, it should divide the contract work into reasonable lots or portions, to the extent consistent with prudent industry practices.

5.11.2 Notify Potential HUB Subcontractors

The HSP must demonstrate that the respondent made a good faith effort to subcontract with HUBs. The respondent's good faith efforts shall be shown through utilization of all methods in conformance with the development and submission of the HSP and by complying with the following steps:

Divide the contract work into reasonable lots or portions to the extent consistent with prudent industry practices. The respondent must determine which portions of work, including goods and services, will be subcontracted.

Use the appropriate method(s) to demonstrate good faith effort. The respondent can use either method(s) 1, 2, 3, 4 or 5:

5.11.2.1 Method 1: Respondent Intends to Subcontract with only

HUBs:

The respondent must identify in the HSP the HUBs that will be utilized and submit written documentation that confirms 100% of all available subcontracting opportunities will be performed by one or more HUBs; **or**,

5.11.2.2.1 Method 2: Respondent Intends to Subcontract with HUB Protégé(s):

The respondent must identify in the HSP the HUB Protégé(s) that will be utilized and should:

- include a fully executed copy of the Mentor Protégé Agreement, which must be registered with the CPA prior to submission to HHSC, and
- identify areas of the HSP that will be performed by the Protégé.

Respondents are encouraged to partner with certified HUBs that participate in the Mentor Protégé Program. For more information on the program, and how it can assist your firm in meeting good faith effort goals, please visit:

<http://www.window.state.tx.us/procurement/prog/hub/mentorprotege/>.

A Mentor Protégé Agreement that has been entered into by a respondent (Mentor) and a certified HUB (Protégé) in accordance with Texas Government Code §2161.065. When a respondent proposes to subcontract with a Protégé(s), it does not need to provide notice to three (3) HUB vendors for that subcontracted area.

Participation in the Mentor Protégé Program, along with the submission of a Protégé as a subcontractor in an HSP, constitutes a good faith effort for the particular area subcontracted to the protégé; **or**,

5.11.2.3 Method 3: Respondent Intends to Subcontract with HUBs and Non-HUBs (Meet or Exceed the Goal):

The respondent must identify in the HSP and submit written documentation that one or more HUB subcontractors will be utilized and that the aggregate expected percentage of subcontracts with HUBs will meet or exceed the goal specified in this solicitation. When utilizing this method, only HUB subcontractors that have existing contracts with the respondent for five years or less may be used to comply with the good faith effort requirements.

When the aggregate expected percentage of subcontracts with HUBs meets or exceeds the goal specified in this solicitation, respondents may also use non-HUB subcontractors; **or**,

5.11.2.4 Method 4: Respondent Intends to Subcontract with HUBs and Non-HUBs (Does Not Meet or Exceed the Goal):

The respondent must identify in the HSP and submit documentation regarding both of the following requirements:

- Written notification to trade organizations and/or development centers to assist in identifying potential HUBs of the subcontracting opportunities the respondent intends to subcontract.

Respondents must give trade organizations and/ or development centers at least seven (7) working days prior to submission of the respondent's response for dissemination of the subcontracting opportunities to their members. A list of trade organizations and/or development centers is located on CPA's website under the [Minority and Women Organization Links](#).

- Written notification to at least three (3) HUB businesses of the subcontracting opportunities that the respondent intends to subcontract. The written notice must be sent to potential HUB subcontractors prior to submitting proposals and must include:
 - a description of the scope of work to be subcontracted;
 - information regarding the location to review project plans or specifications;
 - information about bonding and insurance requirements;
 - required qualifications and other contract requirements; and
 - a description of how the subcontractor can contact the respondent.
- Respondents must give potential HUB subcontractors a reasonable amount of time to respond to the notice, at least seven (7) working days prior to submission of the respondent's response unless circumstances require a different time period, which is determined by the agency and documented in the contract file.
- Respondents must also use the CMBL, the HUB Directory, and Internet resources when searching for HUB subcontractors. Respondents may rely on the services of contractor groups, local, state and federal business assistance offices, and other organizations that provide assistance in identifying qualified applicants for the HUB program.

5.11.3 Written Justification of the Selection Process

HHSC, in coordination with TCCO, will make a determination if a good faith effort was made by the respondent in the development of the required HSP. One or more of the methods identified in the previous sections may be applicable to the respondent's good faith efforts in developing and submission of the HSP. HHSC may require the respondent

to submit additional documentation explaining how the respondent made a good faith effort in accordance with the solicitation.

A respondent must provide written justification of its selection process if it chooses a non-HUB subcontractor. The justification should demonstrate that the respondent negotiated in good faith with qualified HUB bidders and did not reject qualified HUBs who were the best value responsive bidders.

5.12 Method 5: Respondent Does Not Intend to Subcontract

When the respondent plans to complete all contract requirements with its own equipment, supplies, materials and/or employees, it is still required to complete an HSP.

The respondent must complete the “Self Performance Justification” portion of the HSP, and attest that it does not intend to subcontract for any goods or services, including the class and item codes identified in Section 4.5. In addition, the respondent must identify the sections of the proposal that describe how it will complete the Scope of Work using its own resources or provide a statement explaining how it will complete the Scope of Work using its own resources. The respondent must agree to comply with the following if requested by HHSC and TCCO:

- provide evidence of sufficient respondent staffing to meet the IFB requirements;
- provide monthly payroll records showing the respondent staff fully dedicated to the contract;
- allow HHSC to conduct an on-site review of company headquarters or work site where services are to be performed and,
- provide documentation proving employment of qualified personnel holding the necessary licenses and certificates required to perform the Scope of Work.

5.13 Post-award HSP Requirements

The HSP shall be reviewed and evaluated prior to contract award and, if accepted, the finalized HSP will become part of the contract with the successful respondent(s).

After contract award, TCCO will coordinate a post-award meeting with the successful respondent to discuss HSP reporting requirements. The contractor must maintain business records documenting compliance with the HSP and must submit monthly subcontract reports to HHSC by completing the HUB HSP [*Prime Contractor Progress Assessment Report*](#). This monthly report is required as a condition for payment to report to the agency the identity and the amount paid to all subcontractors.

As a condition of award, the Contractor is required to send notification to all selected subcontractors as identified in the accepted/approved HSP. In addition, a copy of the

notification must be provided to the TCCO's Contract Manager and HUB Program Office within 10 days of the contract award.

During the term of the contract, if the parties in the contract amend the contract to include a change to the scope of work or add additional funding, TCCO's HUB Program Office will evaluate to determine the probability of additional subcontracting opportunities. When applicable, the Contractor must submit an HSP change request for review. The requirements for an HSP change request will be covered in the post-award meeting.

When making a change to an HSP, the Contractor will obtain prior written approval from TCCO before making any changes to the HSP. Proposed changes must comply with the HUB Program good faith effort requirements relating to the development and submission of a HSP.

If the Contractor decides to subcontract any part of the contract after the award, it must follow the good faith effort procedures outlined in Section 4.6 of this RFP (e.g., divide work into reasonable lots, notify at least three (3) vendors per subcontracted area, provide written justification of the selection process, and/or participate in the Mentor Protégé Program).

For this reason, respondents are encouraged to identify, as part of their HSP, multiple subcontractors who are able to perform the work in each area the respondent plans to subcontract. Selecting additional subcontractors may help the selected contractor make changes to its original HSP, when needed, and will allow TCCO to approve any necessary changes expeditiously.

Failure to meet the HSP and post-award requirements will constitute a breach of contract and will be subject to remedial actions. TCCO may also report noncompliance to the CPA in accordance with the provisions of the Vendor Performance and Debarment Program.

5.15 CONFLICTS

Respondent must disclose any potential conflict of interest it may have in providing the services described in this Solicitation, including all existing or prior arrangements. Please include any activities of affiliated or parent organizations and individuals who may be assigned to manage this account.

5.16 AFFIRMATIONS AND CERTIFICATIONS

Respondent must complete and return all of the following listed forms:

- **Exhibit A**, Affirmations and Solicitation Acceptance

- Certification regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion for Covered Contracts, which can be accessed on the HHSC Business Opportunities, HHSC Required Forms web page: http://www.hhsc.state.tx.us/about_hhsc/Contracting/rfp_attach/attach.shtm
- Certification Regarding Federal Lobbying, which can be accessed on the HHSC Business Opportunities, HHSC Required Forms web page: http://www.hhsc.state.tx.us/about_hhsc/Contracting/rfp_attach/attach.shtm

ARTICLE VI. COST PROPOSAL

6.1 COST PROPOSAL

As noted above, cost information must not be included with Respondent's narrative proposal. Respondent must submit a cost proposal for the services listed in Article II, Scope of Work. Respondent must include a completed Appendix: J Price Schedule in their cost proposal.

ARTICLE VII. GENERAL TERMS AND CONDITIONS

7.1 GENERAL CONDITIONS

7.1.1 Amendment. The TCCO reserves the right to alter, amend, or modify any provision of this Solicitation, or to withdraw this Solicitation, at any time prior to the award, if it is in the best interest of the TCCO.

7.1.2 Informalities. The TCCO reserves the right to waive minor informalities in a Solicitation Response and award a contract that is in the best interest of the State of Texas. A "minor informality" is an omission or error that, in the TCCO's determination, if waived or modified when evaluating Solicitation Responses, would not give a Respondent an unfair advantage over other Respondents or result in a material change in the Solicitation Response or Solicitation requirements. When the TCCO determines that a Solicitation Response contains a minor informality, it may at its discretion provide the Respondent with the opportunity to correct.

7.1.3 Incomplete Solicitation Responses. The TCCO reserves the right to reject without further consideration a Solicitation Response that does not include a complete, comprehensive, or total solution as requested in this Solicitation.

7.1.4 Solicitation Cancellation/Partial Award/Non-Award. The TCCO reserves the right to cancel this Solicitation, to make a partial award, or to make no award if it determines that such action is in the best interest of the State of Texas.

7.1.5 Rejection. The TCCO reserves the right to reject any or all Solicitation Responses or portions thereof.

7.1.6 Irregularities. Any irregularities or lack of clarity in this Solicitation should be brought to the attention of the point-of-contact listed in Section 3.2.1 as soon as possible, so that corrective addenda may be furnished to prospective Respondents.

7.1.7 Offer Period. Solicitation Responses shall be binding for a period of 240 days after the due date for submission of Solicitation Responses. Each Respondent may extend the time for which its Solicitation Response will be honored. Upon contract execution, prices agreed upon by the Respondent(s) are an irrevocable offer for the term of the contract and any contract renewals and extension(s). No other costs, rates, or fees shall be payable to the Respondent unless expressly agreed upon in writing by the TCCO.

7.1.8 Costs Incurred. Respondents understand that issuance of this Solicitation in no way constitutes a commitment by TCCO to award a contract or to pay any costs incurred by a Respondent in the preparation of a response to this Solicitation. The TCCO is not liable for any costs incurred by a Respondent prior to issuance of or entering into a formal agreement, contract, or purchase order. Costs of developing Solicitation Responses, preparing for or participating in oral presentations and site visits, or any other similar expenses incurred by a Respondent are entirely the responsibility of the Respondent, and will not be reimbursed in any manner by the State of Texas.

7.1.9 State Use of Ideas. The TCCO reserves the right to use any and all ideas presented in a Solicitation Response unless the Respondent presents a valid legal case that such ideas are trade secret or confidential information, and identifies the information as such. A Respondent may not object to the use of ideas that are not the Respondent's intellectual property and so designated in the Solicitation Response that: (1) were known to the TCCO before the submission of the Solicitation Response; (2) were in the public domain through no fault of the TCCO; or (3) became properly known to the HHSC and TCCO after Solicitation Response submission through other sources or through acceptance of the Solicitation Response.

7.1.10 Property of TCCO. Except as otherwise provided in this Solicitation or resulting contract, all products produced by the Respondent including, without limitation, the Solicitation Response, all plans, designs, software, and other contract deliverables, become the sole property of the TCCO.

7.1.11 Additional Information. By submitting a Solicitation Response, the Respondent grants the TCCO the right to obtain information from any lawful source regarding the Respondent's and its directors', officers', and employees': (1) past business history, practices, and conduct; (2) ability to supply the goods and services; and (3) ability to comply with contract requirements. By submitting a Solicitation Response, a Respondent generally releases from liability and waives all claims against any party providing the HHSC and TCCO information about the Respondent. The HHSC and TCCO may take such information into consideration in evaluating Solicitation Responses.

7.1.12 Multiple Responses. A Respondent may only submit one Solicitation Response as a prime Contractor. If a Respondent submits more than one Solicitation Response, the HHSC and TCCO may reject one or more of the submissions. This requirement does not limit a subcontractor's ability to collaborate with one or more Respondents submitting Solicitation Responses.

7.1.13 No Joint Solicitation Responses. The TCCO will not consider joint or collaborative Solicitation Responses that require it to contract with more than one Respondent.

7.1.14 Contract Responsibility. The TCCO will look solely to Respondent for the performance of all contractual obligations that may result from an award based on this Solicitation. Respondent shall not be relieved of its obligations for any nonperformance by its subcontractors.

7.1.15 Public Disclosure. Respondent will not advertise that it is doing business with the TCCO or use a contract resulting from this Solicitation as a marketing or sales tool without prior written consent of the TCCO. Furthermore, Respondent may not distribute or disclose this Solicitation to any other vendors or companies without permission from the TCCO.

7.2 INSURANCE

7.2.1 Required Coverages

For the duration of any contract resulting from this Solicitation, Respondent shall acquire insurance, bonds, or both, with financially sound and reputable independent insurers, in the type and amount customarily carried within the industry. Work on any contract shall not begin until after Respondent has submitted acceptable evidence of insurance. Failure to maintain insurance coverage or acceptable alternative methods of insurance shall be deemed a breach of contract.

7.2.2 Alternative Insurability

Notwithstanding the preceding, the TCCO reserves the right to consider reasonable alternative methods of insuring the contract in lieu of the insurance policies customarily required. It will be Respondent’s responsibility to recommend to the TCCO alternative methods of insuring the contract. Any alternatives proposed by Respondent should be accompanied by a detailed explanation regarding Respondent’s inability to obtain the required insurance and/or bonds. The TCCO shall be the sole and final judge as to the adequacy of any substitute form of insurance coverage.

7.3 PROTEST

Any Respondent unsuccessful or aggrieved in connection with this Solicitation may file a protest in accordance with applicable law.

ARTICLE VIII. SUBMISSION CHECKLIST

This checklist is provided for Respondent’s convenience only and identifies documents that must be submitted with this Solicitation in order to be considered responsive. Any Solicitation Responses received without these requisite documents may be deemed non-responsive and may not be considered for contract award.

DOCUMENTS TO BE SUBMITTED WITH SOLICITATION RESPONSE

- 1. The Solicitation Response _____
- 2. Completed and Signed Exhibit A _____
- 3. Exhibit C, (if applicable) _____

- | | | |
|-----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|
| 4. | Certification regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion for Covered Contracts, which can be accessed on the HHSC Business Opportunities, HHSC Required Forms web page: | _____ |
| | http://www.hhsc.state.tx.us/about_hhsc/Contracting/rfp_attach/attach.shtm | |
| 5. | HUB Subcontracting Plan (HSP) - Appendix K
NOTE: A properly completed HSP <u>MUST</u> be included. If an HSP is not included, the Solicitation Response will be <u>REJECTED</u>. | _____ |
| 6. | Primary Respondent Information | (Section 5.1) _____ |
| 7. | Project Work Plan | (Section 5.2) _____ |
| 8. | References | (Section 5.3) _____ |
| 9. | Major Subcontractor Information (if applicable) | (Section 5.4) _____ |
| 10. | Litigation History | (Section 5.5) _____ |
| 11. | Appendices: | |
| | <ul style="list-style-type: none"> • Appendix E: Assessment Report _____ • Appendix J: Pricing Schedule _____ • Appendix K: HUB Subcontracting Plan _____ | |

APPENDICES and EXHIBITS

Appendix A: Map of the HHSC/DSHS Campus	 Map
Appendix B: Contractor Roles and Responsibilities	 AppendixB_51616.docx
Appendix C: Child Safety Zone Certification Form	 APPENDIX C_4116.docx
Appendix D: Client Needs Profile Form	 APPENDIX D_4116.docx
Appendix E: Assessment Report Form	 APPENDIX E_4116.docx
Appendix F: Individualized Treatment Plan Form	 APPENDIX F_4116.docx
Appendix G: Treatment Planning and Procedure Form	 APPENDIX G_4116.docx
Appendix H: Identification of Chaperones and Chaperones Training Policy	 APPENDIX H_4116.docx
Appendix I: Monthly Treatment Progress Report	 APPENDIX I_4116.docx
Appendix J: Pricing Schedule	 APPENDIX J_4116.docx
Appendix K: HUB Subcontracting Plan (HSP) and Quick Checklist	 Appendix K

Appendix K: Tiered Programming and Movement Between Tiers	 Appendix K _51616.docx
Exhibit A: Affirmations and Solicitation Acceptance	 EXHIBIT A_41916.docx
Exhibit B: TCCO Uniform Terms and Conditions	 Texas Civil Commitment Office Te
Exhibit C: Exceptions	 EXHIBIT C_41916.docx