

SECTION M - EVALUATION FACTORS FOR AWARD**M.1 Basis for Award**

Selection of vendors with whom the Probation/Pretrial Services Office will establish BPA's will be based on technical acceptability and the lowest price to the Government. If the solicitation document identifies that BPA's will be established with a specified number of vendors, the selection of technically acceptable vendors shall be based on price. For example, if a solicitation document identifies that 4 to 6 vendors are needed to provide services and 10 vendors are determined to be technically acceptable, awards will be made to no more than 6 of the lowest priced vendors.

M.2 Evaluation of Proposals

- a. To be acceptable and eligible for evaluation, proposals shall be prepared in accordance with the instructions given in Sections B and L of this solicitation document.
- b. By submission of a proposal, the offeror accepts all the terms and conditions of the RFP. Proposals that take exception to the terms and conditions will be determined technically unacceptable and the offeror will be so advised.
- c. Proposals will be evaluated to be considered Technically Acceptable using the following Pass/Fail Criteria. To determine that the offeror has met the following criteria, each proposal shall be evaluated to determine that every individual requirement has been met.

M.3 Pass-Fail Criteria

The following criteria address the offeror's ability to perform and comply with all the mandatory service requirements set forth in the Request for Proposals. Offerors who do not meet these requirements will be deemed to be technically unacceptable and will receive no further consideration. The offeror(s) will be so advised. Proposed subcontractor personnel qualifications and facilities will be evaluated and considered in the determination of the offeror's technical acceptability. The review of the criteria shall be based on the Offeror's Technical Proposal, which contains the Offeror's Certification of Compliance, Offeror's Background ~~Statement~~Disclosure, and the Offeror's Staff Qualifications. Each of these shall demonstrate how the offeror will perform/meet the requirements of the RFP.

SECTION A – SOLICITATION / OFFER / ACCEPTANCE FORM (AO 367)

Offeror completed Blocks 8, 10, 11, 12, 13, 14 and 15 of the Solicitation/Offer/Acceptance Form (AO 367)

YES or NO

Proposal was electronically (unless otherwise noted) submitted within the designated date/time indicated in Section A

YES or NO

SECTION B – SUBMISSION OF PRICES

Offeror provided a response to every requested service item.

YES or NO

SECTION I – REQUIRED CLAUSES

The Offeror has registered in the System for Award Management (www.sam.gov)? Must be completed prior to award.

YES or NO

SECTION K – REPRESENTATIONS, CERTIFICATIONS, AND OTHER STATEMENTS OF OFFERORS OR QUOTERS

Offeror checked or completed all applicable boxes or blocks in the paragraphs under Section K of the Solicitation Document and resubmitted the full section with the Proposal. (Required, but not used in determining technical acceptability).

YES or NO

~~MANDATORY REQUIREMENTS:~~

SECTION L – CERTIFICATION OF COMPLIANCE STATEMENT

~~Did the Offeror signed and submitted a statement (Attachment A), OFFEROR'S CERTIFICATION OF COMPLIANCE STATEMENT) certifying that it will provide the mandatory requirements stated in Sections C, E, F and G and all services in strict compliance with the requirements, terms, and conditions of the RFP. This requirement includes submission of compliance statements for each subcontractor that will be providing services.~~

YES or NO

~~Did the Offeror signed and submitted a statement (Attachment A), OFFEROR'S CERTIFICATION OF COMPLIANCE STATEMENT, for each subcontractor?.~~

YES or NO or N/A

SECTION L – BACKGROUND ~~STATEMENT~~ DISCLOSURE

Offeror provided copies of all monitoring reports/compliance audits for the previous 24 months from all federal, state and local agencies *for similar services provided within the catchment area(s) identified.*

Offerors who are currently awarded an agreement with the USPO/USPSO conducting the solicitation are not required to provide copies of USPO/USPSO

monitoring reports, but shall provide copies of all monitoring reports for the previous 24 months from other federal, state, and local agencies for similar services provided within the catchment area(s) solicited. **OR**

YES or NO or N/A

Offeror *expressly stated in its proposal* that it is not able to provide copies of monitoring reports, compliance audits, or other certification of compliance due to no such documents existing, being a private practice, or other documented reasons. **OR**

YES or NO or N/A

Monitoring report have a rating of satisfactory or higher (or have remedied any unsatisfactory rating and provided documentation of same)

YES or NO or N/A

Offeror's (and all proposed subcontractor) site(s) at which services will be provided is/are located in catchment area and are operational at time of RFP submission.

YES or NO

Offeror ~~has provided copies of applicable business and/or operating license(s). If there is not an applicable business and/or operating license(s), the Offeror has expressly stated this in its proposal and stated the reasons why~~ signed and submitted Attachment B, OFFEROR'S BACKGROUND DISCLOSURE, certifying compliance with the requirements as listed in paragraphs 2(a) through 2(d) of Section L.

YES or NO

~~Offeror has provided copies of compliance with all federal, state and local fire, safety, and health codes. If the Offeror is not subject to any of these provisions due to local/county ordinances, the Offeror has expressly stated this in its proposal and stated the reasons why.~~

~~YES or NO~~

SECTION L – STAFF QUALIFICATIONS

Offeror ~~has prepared~~ signed and submitted Attachment C, OFFEROR'S STAFF QUALIFICATIONS, to identify staff (and any proposed subcontractor) providing direct delivery of ~~to provide each~~ services, including name, ~~title, duties~~ services that will be performed specified by numeric project code, ~~project code(s) performed by the staff person~~, education, relevant experience and current licensures/credentials.

YES or NO

Offeror (and any proposed subcontractor) meets all minimum staff requirements listed in Section C of the RFP.

YES or NO

~~(a) — The Offeror's Staff Qualifications Statement certified that no staff member(s) (including proposed subcontractor staff) providing services under this Agreement are under investigation for or charged with a criminal offense and/or under pretrial, probation, parole, mandatory release or supervised release.~~

~~YES or NO~~

~~(b) — The Offeror's Staff Qualifications Statement certified that no staff member(s) (including proposed subcontractor staff) providing services under this Agreement have been convicted of any sexual offense (including but not limited to child pornography offenses, child exploitation, sexual abuse, rape, or sexual assault) or are required under federal, state or local law to register on the Sexual Offender registry.~~

~~YES or NO~~

~~(e) — The Offeror's Staff Qualification Statement certified that all staff member(s) including proposed subcontractor staff) providing services under this Agreement conducting sex offense specific evaluations and treatment will adhere to the established ethics, standards, and practices of the Association for the Treatment of Sexual Abusers (ATSA).~~

~~YES or NO or N/A~~

SECTION L – PREPARATION OF OFFEROR'S REFERENCES

Offeror provided three references (Federal, State, or local government agencies and/or private organizations), using Attachment D, for whom the Offeror has provided the same or similar type of treatment and other services identified in this RFP within the past 3 years. Offerors who are currently awarded an agreement with the judiciary are not required to provide references.

YES or NO or N/A

SECTION C – FACILITY REQUIREMENTS (ON-SITE VISITS)

On-site visits will be conducted for those offeror's whose proposals are determined technically acceptable based on the above stated criteria and meet the lowest price requirement. On-site visits will be conducted to verify that the offeror's facility complies with the requirements of the RFP. There will be on-site evaluations for all subcontractors providing services.

~~An on-site visit will not be conducted on Offerors who are currently awarded an agreement with the judiciary unless the Offeror's proposal includes a performance site where services are not currently provided under the existing agreement.~~

~~Offeror's (and any proposed subcontractor) facility meets requirements listed in Statement of Work.~~

~~YES or NO~~

~~Is there private office space preserving both the integrity of the confidential relationship and the personal dignity of the client?~~

~~YES or NO~~

~~Is there a secured filing or electronic storage system to preserve confidentiality of defendant/person under supervision services?~~

~~YES or NO~~

~~Did the vendor establish and post emergency (24 hours/ 7 days a week) contact procedures (i.e., crisis intervention, schedule changes, local hotlines, and/or situations requiring immediate attention), for times when counselors are not available.~~

~~YES or NO~~

The facility provides adequate access for defendants/persons under supervision with physical disabilities (e.g. elevator access to second floor office space, etc.). In the event the space does not, the vendor has provided an alternative facility/space within the identified catchment area that meets the requirements.
YES or NO

Residential Treatment Only

Are emergency and evacuation plans and diagrams posted?
YES or NO

Are there smoke detectors on each floor?
YES or NO

Is the facility in compliance with state and local licensure requirements for residential treatment?
YES or NO

Urine Collection Testing Only

Is there a dedicated bathroom or one that can be secured for collecting urine?
YES or NO

Is there a secure room for the storage of specimens and supplies?
YES or NO

M. 4 Evaluation of Price

The Government will determine Total Evaluated Price for required services by using the following formula:

- (a) Determining Total Evaluated Price.--Multiply the Estimate Monthly Quantity (EMQ) by 12 months to get a Yearly Quantity. Multiply that figure by the Unit Price offered to arrive at the Total Evaluated Price for that service item. Yearly prices of service items are totaled to arrive at Total Evaluated Price for each offeror.
- (b) Service items that are offered at "N/C" or No Charge, will be evaluated in the Life of Agreement comparison by entering \$0.00 for the unit price.
- (c) Service items that are reimbursable at actual prices or at a travel regulation rate are not considered in the price comparison.
- (d) Service items not marked as required services will not be evaluated or considered.
- (e) Total Evaluated Price (TEP) shall be rank ordered to show the lowest TEP.

M.5 Provision 2-85A Evaluation Inclusive of Options (JAN 2003)

- (a) The judiciary will evaluate offers for purposes of award by adding the total price for all options to the total price for the basic requirement. Evaluation of options does not obligate the judiciary to exercise the option(s).
- (b) Any offer that is materially unbalanced as to prices for basic and option quantities may be rejected. An unbalanced offer is one that is based on prices significantly less than prices for some work and prices that are significantly overstated for other work.

M.6 Clause 3-70 Determination of Responsibility (JAN 2003)

A determination of responsibility will be made on the apparent successful offeror prior to contract award. **For an offeror to be found responsible, the offeror must not be on the List of Parties Excluded from Federal Procurement and Non-Procurement Programs and references (if applicable) must show satisfactory performance.** If the ~~prospective contractor~~ offeror is found non-responsible, that offeror will be rejected and will receive no further consideration for award. In the event an ~~contractor~~ offeror is rejected based on a determination of non-responsibility, a determination will be made on the next apparent successful offeror.