

Request for Proposals

Psychologist/Psychiatrist Forensic Examiners Sherburne and Wright Counties and /or Pine, Isanti, Chisago and Kanabec Counties Tenth Judicial District, State of Minnesota

The Tenth Judicial District is exploring options and soliciting proposals from qualified persons to provide psychological examination services for civil commitment cases, Jarvis cases, and Rule 20 cases in six of the eight counties that make up the Tenth Judicial District. There are two service delivery areas: the Sherburne County / Wright County Assignment area, and the Pine, Isanti, Chisago, Kanabec (PICK) Counties Assignment area. You may submit a proposal to provide services in one or both of the assignment areas. At this time we are not soliciting proposals for Anoka or Washington counties. Nor are we soliciting proposals for SDP/SPP cases.

Examiners are sought for three separate case types: civil commitment case types, Jarvis petitions and adult Criminal Rule 20 competency/criminal responsibility cases. This is not a bid but a request for a proposal that could become the basis for negotiations leading to a contract with one or more psychologists and/or psychiatrists and/or entity(ies) to serve as the primary Court Examiner and perform psychological examinations as an independent contractor, and not as an employee of the State of Minnesota. It is anticipated that the term of the contract will run from execution to June 30, 2015.

We will consider various compensation proposals including an annual retainer paid monthly, a flat fee per case by case type, or hourly rate proposals to provide examinations, reports and testimony in all civil mental health commitment cases, Jarvis cases and criminal Rule 20 competency/criminal responsibility cases filed in the respective Assignment areas. Hourly rate proposals cannot exceed the existing court payment policies. While it is our preference to contract for all Examination services, we may consider proposals to provide services in specific case types. You may submit alternate proposals. It is anticipated that the term of the contract will run from execution to June 30, 2015 with an opportunity to renegotiate every 12 months.

Applicants must meet the statutory requirements to serve as an Examiner and meet court eligibility requirements as evidenced by being listed on the Examiner Roster maintained by the Minnesota Court System. The Tenth District requires a psychiatrist to serve as the examiner in cases involving Jarvis petitions, ECT, or neuroleptics medications.

This RFP provides more detailed requirements, historical data on filings, and information on how to submit a proposal. The Appendix contains an example of a sample contract (exact terms subject to negotiation).

The Tenth District will review the information and set up interviews and/or meetings with applicants to further explore options. Cost of service will not be the only criterion used in the information process.

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Psychologist/Psychiatrist
Tenth Judicial District, State of Minnesota

Following is a description of the work and listing of the proposal requirements.

I. OBJECTIVE.

The State of Minnesota, Tenth Judicial District, is using a competitive selection process to enable the Tenth Judicial District Court to secure, in an efficient and cost-effective manner, examiner(s) to perform high quality court-ordered examinations under Minn. Statutes Chapter 253B and Rule 20 of the Minnesota Rules of Criminal Procedure. This is not a bid but a request for proposals (RFP) that could become the basis for negotiations leading to a contract with a vendor that would set out the services to be provided and the cost of those services.

II. DEFINITION.

For the purpose of this request for proposal, under Minn. Stat. § 253B.02, subd. 7, a court-ordered examiner is a person who is knowledgeable, trained, and practicing in the diagnosis and assessment or in the treatment of the alleged impairment, and who is:

- a licensed physician; or
- a licensed psychologist who has a doctoral degree in psychology or who became a licensed consulting psychologist before July 2, 1975.

In addition, the Examiner must meet court eligibility requirements as evidenced by being listed on the Examiner Roster maintained by the Minnesota Court System.

III. DESCRIPTION OF WORK.

1. **Civil Commitments:** The Court Examiner shall provide professional mental health evaluations, and shall prepare written reports and give testimony in court as required to fulfill all obligations of examiners in civil commitment matters and/or court-ordered early intervention hearings under Minn. Stat. Chapter 253B. Generally these examinations must be conducted promptly after assignment by the court, with a report to follow so it is received forty-eight (48) hours prior to the court hearing. The Examiner(s) shall be expected to travel to the location of the Respondent to conduct the examination. The Examiner(s) shall give live in court testimony. The contractor will be appointed as the Court's First Examiner. The historical number of Civil Commitment cases filed is as follows:

	FY'10 July 09- June 10	FY'11 July 10- June 11	FY'12 July 11- June 12	First Half FY13 July – Dec 12
Pine	25	24	22	9
Isanti	29	20	29	16
Chisago	28	31	33	22
Kanabec	6	8	11	10

	FY' 10 July 09- June 10	FY' 11 July 10- June 11	FY' 12 July 11- June 12	First Half FY13 July – Dec 12
Sherburne	19	25	32	14
Wright	34	30	20	18

2. **Jarvis Petitions:** The Court Examiner shall provide professional psychiatric evaluations, and shall prepare written reports and give testimony in court as required to fulfill all obligations of examiners in Jarvis matters. Generally these examinations must be conducted promptly after assignment by the court, with a report to follow so it is received forty-eight (48) hours prior to the court hearing. The Examiner(s) shall be expected to travel to the location of the Respondent to conduct the examination. The Examiner(s) shall give live in court testimony. The historical number Jarvis cases filed is as follows:

	FY' 10 July 09- June 10	FY' 11 July 10- June 11	FY' 12 July 11- June 12	First Half FY 13 July – Dec 12
Pine	7	7	4	4
Isanti	7-10	7-10	8	6
Chisago	12	7	7	3
Kanabec	3-4	3-4	3	2

	FY' 10 July 09- June 10	FY' 11 July 10- June 11	FY' 12 July 11- June 12	First Half FY13 July – Dec 12
Sherburne	3	4	5	1
Wright	11	9	10	6

3. **Criminal Rule 20s:** The Examiner shall provide professional mental health evaluations, and shall administer tests, prepare written reports and give testimony in court as required to fulfill all obligations of Examiners regarding the competency/criminal responsibility of defendants in criminal matters. An examination conducted pursuant to Rule 20.01 or 20.02, Minn. R. Crim. P. must be conducted promptly after assignment by the court, with a report meeting all the requirements of Rule 20 of the Rules of Criminal Procedure to follow. The Examiner(s) shall be expected to travel to the location of the Respondent to conduct the examination-locations could include such facilities as: county jails, hospitals and state prisons. The contractor(s) shall give testimony in court as required regarding defendants in Rule 20 matters. The contractor will be appointed as the Court's First Examiner. The historical number of Criminal Rule 20 cases filed is as follows:

	FY' 10 July 09- June 10	FY' 11 July 10- June 11	FY' 12 July 11- June 12	First Half FY 13 July – Dec 12
Pine	6	6	3	1
Isanti	4	2	10	5
Chisago	7	16	14	10
Kanabec	7	5	9	4

	FY' 10 July 09- June 10	FY' 11 July 10- June 11	FY' 12 July 11- June 12	First Half FY13 July – Dec 12
Sherburne	2	10	10	10
Wright	9	12	13	10

Work includes performing forensic psychological/ psychiatric assessments and evaluations of non-voluntary adult clients, using psycho-diagnostic tests and other professional techniques. Emphasis of the work is on assessment and evaluation of psychological functioning and dynamics so you can report and contribute to the court's understanding of psychological legal issues and preparation of disposition recommendations to the court. Incumbents must apply considerable knowledge of clinical psychological/ psychiatric principles, theories, methods, and techniques, and exercise a substantial degree of professional judgment in the selection and administration of psychodiagnostic techniques used in assessment to arrive at conclusions drawn from evaluations. Incumbents must also apply significant knowledge of Federal and Minnesota Statutes, Federal and Minnesota Case Law, court processes and Minnesota Rules in the formulation of opinions required by the court. Court Examiners must be able to effectively communicate their technical findings to the court. Incumbents work with an unusually diverse population, with serious criminal charges; mentally ill and dangerous persons; sex offenders; individuals with dual diagnoses (i.e., chemically dependent, mentally ill and/or developmentally disabled); and persons with serious brain injuries or medical conditions. Work is performed with considerable independence of action, but there will be some opportunities for consultation and clinical review.

Availability needs and scheduling of hearings will be in accordance with the Minnesota Rules of Court and Minnesota State Statutes and in coordination with the respective court's calendar. Efforts will be made to maintain as much consistency as possible with scheduling of hearings, etc. within the Minnesota Rules of Court and Minnesota Statutory time constraints. The selected Court Examiner(s) must have flexibility to attend court and provide in court testimony when needed and have an alternate plan for coverage if circumstances arise and they are unable to attend.

IV. Contractor Requirements.

In addition to experience conducting psychological/ psychiatric examinations of persons in need of psychiatric treatment and /or hospitalization, a psychologist, psychiatrist, or agency awarded a contract as an examiner as a result of this request for proposal must provide proof of a current professional license, must provide documentation of medical license or doctoral degree in psychology, and must carry malpractice insurance and workers compensation insurance (applicable if the contractor has employees). The contractor must be in good standing with the appropriate professional licensing board and must be listed on the Minnesota Judicial Branch's statewide roster. A criminal background check is required of all contractors.

V. PROPOSAL CONTENTS.

Each submission in response to this request for proposal must contain:

- A. Applicant Information. Your name and/or entity name and contact information of the person(s) who can discuss the contents of the proposal.
- B. Financial Parameters. We will consider various compensation proposals including an annual retainer paid monthly, a flat fee per case by case type, or hourly rate proposals to provide examinations, reports and testimony. (Hourly rate proposals cannot exceed the existing court payment policies.) While it is our preference to contract for all examination services in the PICK Counties together, we may consider proposals to provide services in specific case types. Set forth the financial parameters within which you are willing to provide the examinations, identify the counties where you are willing to work, and describe fee structure (i.e., flat rate, hourly or by case, proposed retainer, what it covers and how it is calculated). You may submit alternate proposals.
- C. Resume and Sample Report. Your proposal must include the resume(s) of the individual(s) who would perform the services of the examiner outlined in this request for proposal. The resume must be up-to-date, include the names and telephone numbers of at least three references, and demonstrate the individual's knowledge and expertise in administering examinations and in providing court testimony. The proposal must also include one appropriately redacted examination report sample.

If you are submitting this proposal on behalf of an agency, please include a description of the agency and, for each examiner who would be performing examinations if a contract is awarded to the agency, a resume and report sample conforming to the requirements stated above.

- D. Other Conditions. Please provide specific information on your time availability to conduct examinations and your availability to the court for testimony, your plan to provide examination services when you are not available, and any other information you feel may assist the Tenth District in recognizing your qualifications.

VI. Evaluation and Selection of Contractors and Nature of the Contract.

All reasonable proposals will be considered. The Tenth District will review the information submitted and may conduct interviews or meetings with selected potential contractors to further explore options and negotiate the scope and cost of services. Cost of service will not be the only criterion used in the selection process. The Tenth Judicial District will select an individual or group based on experience, credentials, and availability to perform the work as outlined above. Contractors must agree to the Judicial Branch's terms and conditions and sign a professional services contract. Any contract with the Tenth Judicial District must be in compliance with the provisions for contracting with the State of Minnesota in a form substantially similar to Addendum A. The professional services contract will contain a contract termination clause if the work product of the examiner is not satisfactorily performed in the judgment of the Judicial Branch.

A. BEST VALUE. The evaluation of all proposals shall be based upon deriving the "Best Value" for the Judicial Branch. Best Value means achieving an appropriate balance between price and other factors that are key to a particular procurement. A procurement that obtains a low price but does not include other necessary qualities and features of the desired service does not meet the Best Value criterion. Factors upon which the proposals will be judged include, but are not limited to, the following:

- Proposer's expertise and experience in performing similar work.
- Proposer's ability to provide the services requested.
- Proposer's past performance and court references.
- Proposer's interview, if requested.

B. CRITERIA COMPLIANCE. The State reserves the right to determine, in its sole and absolute discretion, whether any aspect of a Proposal satisfactorily meets the criteria established in this RFP.

C. RIGHT TO CANCEL. THE STATE IS NOT OBLIGATED TO RESPOND TO ANY PROPOSAL SUBMITTED NOR IS IT LEGALLY BOUND IN ANY MANNER WHATSOEVER BY THE SUBMISSION OF A PROPOSAL IN RESPONSE TO THIS RFP. THE STATE RESERVES THE RIGHT TO CANCEL OR WITHDRAW THE RFP AT ANY TIME IF IT IS CONSIDERED TO BE IN ITS BEST INTEREST. IN THE EVENT THE RFP IS CANCELLED OR WITHDRAWN FOR ANY REASON, THE STATE SHALL NOT HAVE ANY LIABILITY TO ANY PROPOSER FOR ANY COSTS OR EXPENSES INCURRED IN CONNECTION WITH THIS RFP OR OTHERWISE. THE STATE ALSO RESERVES THE RIGHT TO REJECT ANY OR ALL PROPOSALS, OR PARTS OF PROPOSALS, TO WAIVE ANY INFORMALITIES THEREIN, AND TO EXTEND PROPOSAL DUE DATES.

QUESTIONS, APPENDIX and PRE SUBMISSION CONFERENCE

Questions may be submitted in writing at the address listed below or to the email listed below. The Answers to Questions received will be posted on the 10th District Website:

<http://mncourts.gov/district/10/> on or about April 9, 2013.

A Pre Submission Phone Conference will be held on Tuesday, April 9 at 4 PM. This will be an opportunity to ask additional questions. The phone conference phone number will be posted on the website. Please monitor the website for status updates and announcements.

The Appendix containing a sample contract and two forms required with your submission is available on the 10th District Website.

Submission of Proposals:

Your proposal must include two forms found in the Appendix – the Affirmative Action Statement and the Non-Collusion Statement. Your proposal must be submitted in writing to:

Michael Moriarity, Judicial District Administrator
Tenth Judicial District Office
7533 Sunwood Drive NW, Suite 306
Ramsey, MN 55303-5193
Or email to: 10thJudicialDistrict.Jobs@courts.state.mn.us

Deadline for application materials is 4:30 pm April 18, 2013 or until contracts are filled.