

## Hew BPA Questions and Answers

The following are questions received in past solicitation cycles. Thereafter, questions will post with a specific date as received from the offerors and responded to by the U.S. Probation Office. Offerors should consult this list of questions/answers prior to submitting their proposals. All questions must be submitted via e-mail ([Daniel\\_Macke@moep.uscourts.gov](mailto:Daniel_Macke@moep.uscourts.gov)) by Wednesday, July 10, 2024, at 12:00 PM, and all questions will be posted/answered by Friday, July 12, 2024, at 5:00 PM, with final proposals due by Wednesday, July 17, 2024, at 12:00 PM..

Q: Where can I find the Request for Proposals (RFP's) that are open for bid?

A: All available RFP's are posted to [www.moep.uscourts.gov](http://www.moep.uscourts.gov) under Probation, Treatment Services. The RFPs are listed by service types and catchment areas. Specific project codes are listed within each RFP.

Q: This is my first time submitting an RFP. Where do I start?

A: It is important to start by reading the entire solicitation document. Section B indicates the specific project codes for each agreement. Note, the vendor must be capable of providing or subcontracting all required services. Section C is the actual Statement of Work that provides specifics for each of the project codes, as well as other information regarding the deliverable, non-compliance, staff requirements/restrictions, etc. Section C also include any local services which provide further descriptors/requirements to specified project codes (there are indicated by an \* in Section B next to the project code). The offeror must be able to comply with the local service requirements.

Most importantly, SECTION L provides the offeror instructions for the proposals, and the offeror should pay careful attention to the instructions and requirements for proposal submission. Section M includes the Evaluation Factors for Award.

Q: I am unable to provide all the project code services listed. Am I disqualified to submit a proposal?

A: A vendor must be capable of providing all services identified in Section "B," including local services identified at the end of Section C, and within the geographic area identified in Section "B." However, in accordance with Section I, a vendor can team with another agency in an effort to ensure the ability to provide all services requested in the Statement of Work

NOTE: In Section L, Submission of Prices, "The offeror must provide a response to every requested service item," and Section L A (3)(c) requires the vendor to insert the letter "S" following the price inserted in Section B for all subcontracted services.

Q: I am interested in providing services under multiple BPAs. Do I need to submit a separate proposal, or can I indicate the BPAs of interest in a cover letter?

A: The vendor must submit a completed RFP for each BPA in which the vendor is interested. Each RFP references a specific catchment area. If the vendor has a site in more than one catchment area, the vendor must respond and submit a completed RFP packet for each appropriate corresponding BPA number in which that vendor is interested in providing services. Submission of proposals should be specific to the particular BPA.

Q: Since I am uncertain as to whether I will be awarded the agreement, do I need to have operational space at the time I submit the proposal, or can I enter a lease post award?

A: Yes. According to Section M - Evaluation Factors for Award, on-sites will be conducted for those offeror's whose proposals are determined technically acceptable based on the criteria and meet the lowest price requirement. Therefore, the offeror must have a site within the catchment area at the time of proposal submission.

Q: Some of the catchment areas list multiple counties or multiple zip codes. Is the offeror required to have a site in each listed area?

A: No, the offeror is not required to have a site within every county or zip code located within the identified catchment area (e.g. if the catchment area includes counties A, B, and C, and the offeror only has a site in county C, that would meet the requirements; the same is true if the catchment area includes multiples zip codes, the offeror must have a site within one of the zip codes listed in order to meet the requirements). However, the offeror must have a least one site located within the catchment area (see Section L).

- Q: What is involved with urinalysis collection (project code 1010)?  
A: The vendor must have male and female staff available for direct observation on the date and specific hours of each scheduled urine collection. The vendor can only perform same gender observed collection. Unobserved collection should occur only in rare circumstances, and the designated U.S. Probation Office contact should be notified in those instances. Only those collectors trained by the U.S. Probation Office are permitted to collect specimens under the agreement. A day prior to each collection day, the U.S. Probation Office will e-mail the vendor a pdf document containing the Chain of Custody forms for each defendant/person under supervision required to submit a urine specimen on that date, as well as a listing of those scheduled for testing. The vendor is responsible for printing the Chain of Custody forms on the special COC paper provided by the U.S. Probation Office and following the training procedures for the proper completion of the Chain of Custody form and observed urine collection. The U.S. Probation Office will provide the vendor with the necessary urinalysis collection materials (i.e. blank Chain of Custody forms, vials, specimen bags, mailing boxes, and mailing labels which include the cost of shipping); however, the vendor is responsible for printer ink, gloves, cleaning agents, etc. Once the vendor collects the urine specimens, the vendor will either mail via U.S. Postal Service (postage paid by U.S. Probation Office via special mailing labels) or hand deliver the specimens to the U.S. Probation Office in St. Louis where the in-house laboratory will test the specimens. Please see Statement of Work for additional requirements for urinalysis collection.
- Q: Does the vendor have to maintain a call-in phone system for the urine collection?  
A: No. The U.S. Probation Office maintains a phone number and texting system for the urine collection schedule. It is the responsibility of the person under supervision to call the phone line each day to ascertain whether they are required to report to the vendor to submit a urine specimen. If the person under supervision has a valid cell phone number, they will also receive text notification at 7 p.m. on the day prior to the scheduled urine collection.
- Q: Will the vendor know in advance on what days urine collection will occur?  
A: Yes. The U.S. Probation Office will consult with the vendor each month in the scheduling of agreeable dates for urinalysis collection. The vendor must have days available in accordance with the local need specified in the Statement of Work. The ultimate discretion for the testing days remains with the U.S. Probation Office. The vendor must communicate a urine collection schedule with the U.S. Probation Office prior to the 23rd of each month.
- Q: What is a sweat patch (project code 1012)?  
A: A patch worn on the skin used to detect the presence of drugs excreted through the body. The patch may detect drug use up to two days prior to application and is generally worn for seven to ten days. There is a website ([www.pharmchek.com](http://www.pharmchek.com)) the vendor can access for sweat patch training and completion of the certification test. Only those with the certification are approved to apply the sweat patch.
- Q: What is the Department of Labor Wage determination?  
A: The Department of Labor Wage determination only applies to those BPAs that include project code 1010 or 1012 in Section B. Additional information regarding the wage determination can be found under the Service Contract Act of 1965, as amended June 2012.
- Q: Will an IRS Form 1099 now be provided verifying income at the end of an approved year?  
A: The Clerk's Office will send a 1099-MISC to vendors who are eligible to receive them. The expense must fall in the BOC range 2500-2599 (they provide some kind of contract service) and the Clerk's Office is required to send them only to those vendors who were paid \$600 or more. It also depends on the information provided on the W-9 or AO213 forms. If the vendor indicates on the forms that they are a corporation, then they are claiming to be exempt from a 1099 and the Clerk's Office would not send one.
- Q: Is there a location where we can look at past proposals as an example to make sure we are completing correctly?  
A: No, there are no examples to post. Section L of the solicitation document sets forth the instructions on completing a proposal.

Q: Does the vendor receive reimbursement for materials/workbooks provided to defendants/persons under supervision?

A: There is no reimbursement for vendor provided materials/workbooks. The cost of these materials/workbooks should be incorporated into the unit cost.

Q: Under Project Code 1202 – Transportation Expenses – in cases where public transportation is not available, is it the vendor's responsibility to arrange the transportation after getting prior approval?

A: When transportation is authorized by the officer and included on the program plan, it is the vendor's responsibility to provide the transportation expense. Where there is public transportation available, this often include the purchase of daily or monthly bus passes to provide the approved individuals. If public transportation is unavailable, or as otherwise authorized on the program plan, this may include providing gas cards or reimbursement for mileage (amount specified by the probation officer) to the person under supervision. Through the invoice, the vendor is reimbursed the actual cost for 1202, plus a 5% administrative fee under 1201.

Q: What is the expected start date of the new agreement?

A: October 1, 2024.

Received June 17, 2024

Q: I have your RFP Cover letter dated June 14, 2024, asking for proposals for treatment services, one of which is 0865-25-18P Polygraph Providers for the Eastern District of Missouri. The cover letter also indicates the full RFP text and applicable government regulations, which can be found in the Treatment Section on the U.S. Probation website. Upon checking the link in the cover letter, I noticed that the specific RFP for polygraph services is not listed. All other treatment services are currently posted but the list concludes with 0865-25-17S. If polygraph services are a part of the current solicitation process, please direct me to the full RFP text related to 0865-25-18P.

A: The failure to include the RFP for 0865-25-18P was an error on our part. The RFP for 0865-25-18P has now been posted.

Received June 22, 2024

Q: What is the protocol for a contractor to opt out of the agreement prior to the completion of the contract? For example, a contractor no longer has space or personnel to provide the contracted services.

A: The BPAs are issued for the maximum possible duration of five years; however, this includes a base year, plus four option years. To execute an option year, a bilateral modification would be signed and agreed to by both the vendor and the contracting officer 60 days prior to the commencement of an option year. Through discussion with the contracting officer, the vendor could opt out during the year; however, any foreseen concerns with space or personnel should be immediately discussed with the contracting officer during the agreement.

Received June 25, 2024

Q: How many clients on average per year will need treatment?

A: An average number of clients referred is not listed, as the type and frequency of services by any given person under supervision will vary and be individualized to that person. Estimated Monthly Quantities (EMQs), listed in Section B of the BPA, represent the estimated total monthly quantities to be ordered per project code based on the unit specified (e.g. 30 minute/unit; per report, etc.). However, EMQs are estimates only and do not bind the government to meet these estimates. Individual counseling (2010, 6010, 6015, 6012, 7013) or family counseling (2030, 6030, 6032) sessions are typically 60 minutes (2 units). Group counseling (2020, 2022, 6026, 6022, 7023) sessions are typically 90 minutes (3 units).

- Q: Are they able to attend the same group with state clients?
- A: If the number of federal referrals is sufficient to support a group of only federal clients, it is preferred that a federal-only group be held; however, if the number of referrals do not support a group of only federal clients, then a group can contain state clients. Even if the group contains state clients, the group must still meet the requirements of the Statement of Work. The Statement of Work also requires observations of the group by the contracting officer, as well as other U.S. Probation Officers and U.S. Pretrial Services Officers, which the vendor cannot mandate state clients to participate in.
- Q: Will they be able to choose from more than one location, one being in Lake St. Louis and one being closer to North county right across the river from St. Charles County?
- A: The vendor can have multiple sites within the catchment area, but the facility must be within the identified catchment area identified in Section B. The program plan includes the agreement number for the referral, and the vendor would only be authorized to provide services within their USPO approved site(s) within the identified catchment area.
- Q: Can you tell me what the bid acceptance rate was per unit price from the last contract?
- A: No, the unit prices for the previous contract will not be posted. The vendor is responsible for determining a competitive unit rate in accordance with fair market pricing. The vendor should consult the Statement of Work to understand the work requirements when determining the amount to charge for project codes.

Received July 9, 2024

- Q: Are the polygraph exams conducted at the federal court house(s)?
- A: Approximately seven (7) days per month between the hours of 8 a.m. – 5 p.m., polygraphs shall be conducted at Rush Hudson Limbaugh, Sr. U.S. Courthouse, 555 Independence, Suite 1100, Cape Girardeau, Missouri 63701. The remaining polygraphs shall be conducted at the vendor's office (currently in St. Louis County) approximately 15 days per month between the hours of 8 a.m. – 5 p.m.  
It should be noted, under the current agreement, the vendor has utilized subleased space in Poplar Bluff (approximately 1 day per month) and Farmington (approximately 5 days per month) in an effort to accommodate polygraphs for individuals residing in the halfway house or in that vicinity, as well as space in St. Louis County (approximately 15 days per month). Any costs associated with renting or subleasing a facility, as well as any travel to the facility or federal courthouse, are the responsibility of the vendor and should be incorporated into the unit cost.
- Q: How does the district do their polygraph scheduling? For example, scheduling polygraphs every month, every 2 months, 6 months, etc.?
- A: The USPO coordinator works with the vendor to schedule the upcoming polygraphs. Generally, a calendar is completed/scheduled 2-3 months in advance of the polygraphs; however, there are some circumstances that necessitate shorter notice. There are typically 3 polygraphs scheduled per day, with polygraphs being scheduled almost every business day of the week Monday through Friday.
- Q: Is your district open to conducting 4-5 polygraphs per day?
- A: In accordance with the APA Standards of Practice, "A member polygraph examiner shall not conduct more than four diagnostic or three evidentiary examinations in one day, and no more than five examinations of any type in one day." In order to allow time for any necessary follow up with the person under supervision, as well as discussions with the officer, we are limiting the maximum number of polygraphs per examiner per day to four exams.

Q: Do you know where the current vendor rents office space in Farmington?

A: Providing information regarding rental space is not the responsibility of the U.S. Probation Office. Each offeror is responsible for ensuring they have office space within the identified catchment area.

Received July 11, 2024

Q: How will applicants be notified about the results of the BPA application?

A: All offerors submitting a proposal will receive a letter. Letters will advise whether their proposal was technically acceptable/lowest bidder and thus awarded the agreement, whether their proposal was technically acceptable but not lowest bidder and thus not awarded the agreement, or whether their proposal was not technically acceptable. Letters will be sent via e-mail to the person listed in Section A as authorized to sign.

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