

On July 23, 2024 at 1:00pm, the Probation Office for the Northern District of New York hosted a virtual Offeror's Conference for the upcoming Polygraph solicitation in **Albany**. The following was discussed:

OFFERER'S CONFERENCE (FY 2025 POLYGRAPH)

Request for Proposal (RFP) is due by 4:30p.m. on August 2, 2024. Should be submitted electronically to nicole_cotugno@nynp.uscourts.gov.

Provide an overview of the services solicited for this year's Blanket Purchase Agreement (BPA).

Inform you of the evaluation factors considered when awarding the BPA.

Discuss the performance expectations once the BPA is awarded.

We are seeking 1 to 2 vendors for Polygraph Services in Albany, New York. There is no longer a catchment area requirement.

Vendors for Polygraph Services are not required to have an office located in the catchment area. Vendors must be able to provide examinations in the space provided by the U.S. Probation Office in Albany, New York.

Blanket Purchase Agreement (BPA): Not a grant or lump sum of \$, similar to a charge account or a fee-for-service agreement.

Estimated Monthly Quantities (EMQ): Not binding. There may be more or less referrals than noted. EMQs are generally in one unit per report. One fee per report for both sexual history and maintenance exams.

Instructions for the preparation of the RFP are contained in Sections B – L. Our evaluation criteria are outlined in Section M.

Specific services solicited are listed on page B-2 in each of the RFPs.

Polygraph Services RFPs: (5022) Clinical Polygraph Examination and Report & (5023) Maintenance Examination.

Award of BPA is based on lowest price, technically acceptable, and responsible standards. Vendor is technically acceptable if they can fulfill the requirements of Sections C, E, F, and G of the RFP. Offeror must meet all of the mandatory requirements of the RFP. The evaluation criteria are outlined in Section M. Only completed polygraphs are billable. Travel expenses, lodging, etc. are also not covered. The prices for services should account for: the time your staff will spend providing services, USPO contacts, preparation time, providing completed reports, processing billing, and a "no-show" factor; only face-to-face contacts are billable.

Possibility of a split BPA; referrals are rotated based on the cost, not the number of clients.

Responsibility is determined by various factors and past performance is taken into consideration.

Once the BPA is awarded, there are monitoring procedures to ensure the provider is responsible and the services are provided as listed in the statement of work.

Potentially a 5-year contract. (One year contract plus four 12-month options, FY runs Oct-Sept.)

If the vendor(s) who is/are awarded the contract maintains a satisfactory rating during the contract cycle, the next solicitation process will not be conducted again until fiscal year 2029.

Post Award Monitoring Reports are not typically conducted for polygraphs, but the USPO has the right to review all work and data. Reports will be sent to you, and we maintain a copy for review at any time by the Administrative Office.

If any of the services solicited are left blank (pages B-2 & B-3), the RFP is deemed unacceptable. Therefore, even if the price is \$0, enter the number.

It is in your best interest to give a best offer now since vendor is chosen if technically acceptable and lowest price.

Offeror must meet all of the mandatory requirements of the RFP.

RFP must include a unit price for the required services.

The RFP should include copies of all pertinent local and state operational licenses or certifications. Ex: APA accreditation, PCSOT specialized instruction, and/or licenses

Examiner(s) shall have an active membership in the American Polygraph Association (APA) and comply with cont. education requirements. Also, shall adhere to the established ethics, standards, and practices of the APA. In addition, examiner(s) shall demonstrate competency according to APA professional standards and conduct all polygraph examinations in a manner that is consistent with the accepted standards of practice.

If there is an asterisk next to the service, this means that there is a local need that you need to meet and address in your response. Our local needs will require the vendor to be able to provide services at the Albany, NY – U.S. Probation Office.

References no longer required for incumbent vendors.

If RFP is awarded, this is what you can expect:

- You will be contacted in writing to notify you if your agency was selected or not.
- The contracting officer will reach out to you to discuss testing dates/scheduling requests (as early as October 2024).

- The USPO supervising each client will provide any information necessary for the examinations to be performed (e.g., prior presentence reports, questionnaires, current progress on supervision, treatment concerns, etc.).
- The contracting officer will provide a signed Probation Form 45 for each client.

A complete, typed report shall be sent to USPO within 10 calendar days after completion of the exam. The report cannot be billed if it has not been submitted.

Terms:

-A Probation Form 45 is the authorization to perform services (in this case, polygraph exams) and outlines any co-pays.

- The vendor may not digress from the type of services or increase the frequency without permission from the USPO. If the vendor does such, the vendor will not be paid.

-A Release of Information (Prob Form 11I) must be completed for each service (exam) rendered. Releases must be signed by the client and examiner.

Clients are to sign in & out for every exam on the Monthly Sign-in Log (MSL). Vendor needs to note:

- Date
- Type of Service (e.g., Maintenance Exam) or Project Code (5023)
- Co-pay collected
- Time in & time out
- Both the client and the examiner have to sign or initial.

The signed Prob Form 11I and MSL are sent with the invoice.

Copies of these forms are included in the RFP, and you can make copies as needed.

Vendors are expected to contact the case officer prior to and after the examination.

Clients are to sign in and out for every polygraph. Vendor needs to note type of service. This is sent with the bill so that we know that clients were present and received service. The co-pay amount must also be noted on the sign in, sign out log. We will provide the sign in log for the vendors use.

Completed exam reports, Monthly Sign-in Logs and signed Releases of Information must be submitted with the bill by the 10th of every month.

The RFP provides an outline of how invoice is formatted.

- Can be filled out by hand, although an Excel spreadsheet will be provided.

If you are a new vendor, we can provide training to your billing administrator.

Vendor needs to document all case contacts. Files are kept separately and are to be viewed by Chief USPO or designee only.

CONFIDENTIALITY:

- Per Section C, under “deliverables.”
- The vendor shall disclose records only after advising the USPO of the request and any exceptions to the disclosure of, or any individual’s right of access to, treatment or protected health information that might apply.
- A copy of the information released should be sent to the USPO.
- For pretrial clients, pretrial confidentiality regulations must be considered.
- Do not create a new/standalone document for disclosure, only existing documents (e.g., progress notes, discharge summary).

CO-PAYS:

- Will be part of this solicitation cycle.
- Paid to vendor directly, who then deducts from our bill.
- If vendor/examiner has an issue with collection of the co-pays from client (i.e., non-payment), notify the USPO who will address the issue.

The following questions (with responses from the Probation Office) were discussed at the conclusion of the conference:

Question: Does the polygrapher need to have an office in the catchment area?

Answer: No, there is no longer a catchment area for polygraphs.

Question: How does scheduling work?

Answer: Contracting Officer will contact polygrapher with potential dates a month to two-months Out. Typically, the Albany Office is conducting three polygraph’s a day.

Question: Would there be a potential conflict with the polygrapher being active LE at the time of Appointment?

Answer: Shouldn’t be, but any information received during the polygraph should not be disclosed to anyone in LE. If there is a question or concern, the polygrapher should discuss with Contracting Officer and case USPO.

Question: In the RFP it stated in one section that there should be some further testing after an INC or a SR result and I know that is language coming from Washington as it’s in other districts. I was just going to ask for some clarity on that.

Answer: Our office will be adhering to the requirements of the RFP, which requires further questioning and testing for deceptive and inconclusive examination results in an attempt to resolve the deceptive and inconclusive issues. If after a thorough review of the questions and testing is complete, the results stand as DEC and INC, the examiner should contact the USPO to determine the need for further testing on another date – likely six-months.

* Future questions need to be submitted in writing to the probation website (“Vendor Resources” tab, “Submit Question” dropdown). All questions and responses will be posted on our website - www.nynp.uscourts.gov, so check it regularly.