

Questions received by LCLE in writing by the close of business (5:00pm Central Time) December 16, 2011.

Is there a preferred set of software for the study, i.e. Excel, Access, Minitab, SAS, SPSS, etc.?

No.

Page 9 Section 1.9 and Page 19 Section 3.4: Given that this is a consulting services contract requiring minimal expenditures in the performance of the contract, what criteria will be used to determine if a contractor submitting a proposal has adequate financial resources for performance?

Adequate financial resources relates to the ability of the contractor to complete the project. LCLE projects work on a reimbursement basis for work completed and in this case accepted by the Juvenile Justice and Delinquency Prevention (JJDP) Advisory Board. This means that a contractor must have the financial resources to continue working on the project while waiting for approval and reimbursement of a preceding phase of the project. Deliverable dates are structured so as to ensure that the product has time to be reviewed by staff and necessary revisions made prior to presentation to the JJDP Advisory Board. This period is generally a matter of a couple of weeks; however, even with this precaution, should the Board reject the product, the contractor would need to make changes and wait, in a worst case scenario, to the next quarterly meeting of the Board.

Page 11 Paragraph 1.17 states “LCLE also reserves the right to enter into discussions with Proposers and to seek Best and Final Offers from Proposers in an effort to select the most advantageous proposal for the State.”

Does this mean that LCLE reserves this right for before a selection of a contractor is made, after the selection of a contractor is made, or both?

This process may occur once the responsible and responsive bidders have been identified but before the actual evaluation process.

If LCLE contacts one contractor for a better offer, will it contact all of the other responsive and responsible contractors?

Yes. See previous response.

If proposals are being modified after submission based upon requests from LCLE for better costs, why is the cost included as part of the formal evaluation criteria?

This is because best and final requests may be made and received from all responsive and responsible bidders prior to the evaluation process. Requests for Best and Final Offers include all factors, not just the cost factor. Any resubmission based on a request for a Best and Final Offer may include enhanced task performance, but may not include a reduction/increase in the cost.

Page 11 Paragraph 1.17 states “LCLE reserves the right to contract for all or a partial list of services offered in the proposal.” Will the LCLE consider awarding portions of the contract to different contractors – either split by parish or split by phase?

The State is seeking a single primary contractor but potential contractors may enter into subcontracts with the prime contractor and divide the work in that manner. Doing this, however, is the responsibility of the prime contractor.

Page 11 Paragraph 1.19 states “The reports produced during the first study are available for viewing at the LCLE office. Arrangements for viewing can be made through the LCLE contact person.” Can LCLE post this electronically or can proposers purchase a copy at the proposer’s conference?

After the proposer’s conference these documents will be made available on the LCLE website.

Section 3.2 Can LCLE provide the hours billed by task by the contractor for the first study?

No. This was not required in the first study.

Section 5.4 only reserves 5% of the evaluation criteria points for Hudson/Veteran but the State guidance states “Ten percent (10%) of the total evaluations points shall be reserved for this criterion.” Correspondence with LCLE indicates “that 5% would be appropriate and in the best interest of the State” and that there were concerns with awarding more since it will be a federal program. Has this reduction in the percentage been approved with the Louisiana Division of Administration and

has LCLE asked for guidance from the federal government to see if an award of 10% of the points is appropriate?

The instruction received by LCLE from the Office of Contractual Review, Louisiana Division of Administration was that up to 10% of the total evaluation points could be reserved for Hudson/Veteran initiative if such was allowable under the rules of the Federal Program. Before proceeding, LCLE requested an opinion from the U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention as to the legality of doing so. OJJDP indicated that they had not received such a request before but saw no disqualifying issues. As neither LCLE nor the Federal funding agency had prior experience with such a set-aside in other contracts, a reservation of 5% was deemed appropriate and in the best interest of the state. Since the Office of Contractual Review reviews and approves all RFPs issued by LCLE prior to their release, the Division of Administration had final review and approval authority in the matter.

Section 5.4 If the criteria for selecting the lowest cost is based upon the total cost of the study, why does LCLE need task-by-task cost analysis with “task by name, billing rate, and number of hours proposed to complete the task” as stated in Section 3.2?

The task- by- task analysis was requested to allow the State to evaluate who is doing the work, at what level and what kind of involvement, and how these factor into the cost of the task and ultimately the total cost.

Section 5.5 of the RFP does not include information regarding a protest period and the timeline presented in Section 1.3 does not seem to include one. Is there a protest period associated with this RFP?

The protest period for contracts of this type is covered by Law as per R.S. 39:1671 *et seq.*

Section 7.3 states the identification of all such confidential data and information as well as the State's procedural requirements for protection of such data and information from unauthorized use and disclosure shall be provided by the State in writing to the contractor. So that a proposal can factor in the costs of these procedures, how much confidential data and information were included as part of

first DMC study and what are the procedures that the State provided to the contractor in writing?

The first study was able to obtain statistical data without reference to individual client records, so no confidential information was involved. ChC Art. 412 generally covers the confidentiality of records held by courts exercising juvenile jurisdiction and related records. If other types of client specific records are to be accessed the specific rules associated with the data in question would need to be researched and security procedures established at that time.

Ownership provisions: The sample contract does not have an “ownership” provision.

Page 11 Paragraph 1.19 Will all reports, data, and files developed for the first DMC study be provided to the contractor selected?

All reports developed for the first DMC study will be provided to the contractor selected. Other information such as data and files will be decided on a case by case basis based on the specific project need.

What portions of the data, files, and reports are owned by the State and what portion will be consider proprietary property of the contractor selected for DMC II?

The reports as well as the data and files are owned by the State to the extent that the project funding was used to create or develop them. For example, a contractor desiring to perform analysis on the data gathered under the project for the purposes of publication must first seek the State’s permission. An analytical technique developed by a contractor utilizing other funding remains the property of the contractor even if used in the performance of this project.

Were templates or automated computing devices such as spreadsheets with formulas developed by the incumbent contractor for use with this contract? If so, can they be provided to contractors prior to submitting bids and will they be provided to the new contractor for use or modification with the new contract? If not, will any such templates and devices developed under the new contract be considered property of the State?

The only such template or automated computing devices used in the first contract of which LCLE is aware was the Relative Rate Index (RRI) formula and automated calculator developed by the Office of Juvenile Justice and Delinquency Prevention and is available to all. The remainder was the product of standard software commercially available.

How much money is available for the project?

\$144,660

The funding comes from two separate grants. This is important to the prospective bidder in that \$105,509 can be expended on work conducted prior to September 30, 2012. Note that the deliverables for Phases I, II, and III are due prior to this date. The remainder of the funding is \$39,151 and generally covers Phase IV.

This will be a fixed cost contract with payment on a reimbursement basis after the deliverables for each Phase are completed and accepted by the JJDP Advisory Board.

Questions raised at the Proposers' Conference on December held as per the RFP on December 16, 2011 beginning at 2:00 pm at the LCLE Offices.

Is it allowed or would the request be considered for findings from the data to be used for a separate analysis for journal publications?

Yes, such a request would be considered. Before actually using the data collected as part of the study funded by the contract, the person or entity desiring to do so must receive the State's permission in writing. Results and findings published in the final report submitted to and accepted by the JJDP Advisory Board may be used without prior permission but must contain the proper attribution.

Questions raised after the Proposers' Conference but before the close of business (5:00 pm Central Time) December 19, 2011 as specified in the RFP.

It appears the link to the DMC spreadsheet has been disabled. To the extent, we are interested in knowing if it is possible to track individual youth at various decision points using the spreadsheet or were parishes required to provide aggregate data only?

The spreadsheets contain aggregate data only. No child specific information is contained in the spreadsheets, therefore it is not possible to track individual youth at various decision points utilizing this data. The data in the spreadsheets is aggregate data collected as part of the Phase I DMC identification effort and forms the basis of the Relative Rate Index for each jurisdiction.

Will it be necessary for the vendor to hand collect any of the data?

This cannot be determined until the vendor makes contact with the individual parishes. It will certainly be necessary for the vendor to collect the required data for the Relative Rate Index (RRI) in Phase I for each of the eighteen parishes as well as the data necessary to test the hypotheses identified in Phase II and defined in the final research proposal as approved. Whether or not any of this will be hand collected from source documents cannot be determined until the vendor assesses the data held by the local agencies in each parish.

Vendors should be aware that each jurisdiction under consideration in this project will have its own way of doing business within the legal framework established by the Children's Code. It is critical to the collection of data throughout the project that the vendor understands the business process and business rules operating in each jurisdiction. What happens one way in jurisdiction x, may happen a different way in jurisdiction y. Complicating this somewhat is the broad structure of Juvenile Court jurisdiction. In four parishes (Caddo, Orleans, Jefferson, and East Baton Rouge) special juvenile courts have been created by law that exercise exclusive original juvenile jurisdiction. In all other parishes (including all eighteen parishes under consideration for this study) juvenile court jurisdiction is shared among District Courts, City Courts, and Parish Courts. This means that each of these courts have original juvenile jurisdiction within their District, City, or Parish. In cases where two or more of these types of courts have jurisdiction in the same parish, their original juvenile jurisdiction may be concurrent with other courts the extent their general jurisdictional lines (geographic) overlap. (See Ch.C. Art. 302 et seq.) The law enforcement agencies, prosecutorial agencies, and specialized local juvenile services may vary as well in each jurisdiction. For these reasons, it is important to understand who is involved in making what decision prior to collecting data so that the vendor knows who to collect data from. The vendor must also be sensitive to differences in data definitions when utilizing data from local

client agencies. The data contained in local systems, either manual or automated, was developed to meet local operational needs and may not conform to the definitional standards required by the Office of Juvenile Justice and Delinquency Prevention (contained in the Technical Assistance Manual) especially where the data for the Relative Rate Index calculations are involved. All of these factors make the collection of valid and reliable data the key to the success of the project.

The LCLE works with the local juvenile justice system agencies as partners in the effort to improve juvenile justice in the state. There is no law requiring local agencies to cooperate in these efforts; their cooperation is voluntary. This is not to say that failing to cooperate is without consequences, as doing so would render the specific agency ineligible to receive JJDP funding from LCLE. Given the limited amount of JJDP funding available, however, most of the agencies are not currently recipients of JJDP funding. The vendor, therefore, will need to develop positive relationships with the local juvenile justice agencies in order to obtain their cooperation.

Did the incumbent vendor assist with data collection in 2009 as well as 2010?

The vendor for the first study collected the data for both 2009 and 2010 Relative Rate Indexes for the jurisdictions involved.