



OFFICE OF THE
SECRETARY

2017 JAN 23 PM 4:53

MURIEL BOWSER
MAYOR

JAN 23 2017

The Honorable Phil Mendelson
Chairman
Council of the District of Columbia
John A. Wilson Building
1350 Pennsylvania Avenue, N.W., Suite 504
Washington, D.C. 20004

Dear Chairman Mendelson:

Enclosed for consideration by the Council of the District of Columbia is proposed emergency legislation entitled the "Modifications to Human Care Agreement No. DCRL-2013-H-00390 with PSI Family Services, Inc. Approval and Payment Authorization Emergency Act of 2017" and the accompanying declaration resolution. The proposed legislation is to approve Modification No. M023 and proposed Modification No. M024 to Human Care Agreement No. DCRL-2013-H-00390 ("Contract"), and to approve payment for services received and to be received by the Child and Family Services Agency under the Contract.

Council approval is necessary because the proposed Modification M024 would increase the total not-to-exceed amount to a value that is in excess of one million dollars. The proposed exercise of the remainder of option year three will allow the District to continue to have PSI Family Services, Inc. provide Case Management and Family-Based Foster Care Services for children and youth who have been removed from their natural homes due to abuse or neglect. For those children and youth needing to be removed from their homes, these services will ensure that they receive foster care placements that effectively support them in achieving their goals of safety, permanence and well-being. The proposed total not-to-exceed amount for option year three is three million, two hundred ninety three thousand two hundred ninety five dollars and nine cents (\$3,293,295.09), for the period of performance from December 16, 2016 through December 15, 2017.


As always, I am available to discuss any questions you may have regarding the proposed contract action. In order to facilitate a response to any questions you may have regarding this proposed contract action, please have your staff contact Tara Sigamoni, Agency Chief Contracting Officer, Contracts and Procurement Administration, Child and Family Services Agency, at 202-724-7415.

Sincerely,

A handwritten signature in black ink, appearing to read "Muriel Bowser".

Muriel Bowser

Enclosure


Chairman Phil Mendelson
at the request of the Mayor

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To approve, on an emergency basis, Modification No. M023 and proposed Modification No. M024 to Human Care Agreement No. DCRL-2013-H-00390 with PSI Family Services, Inc. to provide case management and therapeutic foster care services for children and youth and to authorize payment for the services received and to be received under these modifications.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA,

That this act may be cited as the “Modifications to Human Care Agreement No. DCRL-2013-H-00390 with PSI Family Services, Inc. Approval and Payment Authorization Emergency Act of 2017”.

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Modification No. M023 and proposed Modification No. M024 to Human Care Agreement No. DCRL-2013-H-00390 with PSI Family Services, Inc. to provide case management and therapeutic foster care services for children and youth, and authorizes payment in the total not to exceed amount of

1
2 \$3,293,295.09 for services received and to be received under these modifications.

3
4 Sec. 3. The Council adopts the fiscal impact statement provided by the Chief
5 Financial Officer as the fiscal impact statement required by section 4a of the General
6 Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C.
7 Official Code § 1-301.47a).

8 Sec. 4. This act shall take effect following approval by the Mayor (or in the
9 event of veto by the Mayor, action by the Council to override that veto), and shall remain
10 in effect for no longer than 90 days, as provided for emergency acts of the Council of the
11 District of Columbia in section 412(a) of the District of Columbia Home Rule Act,
12 approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Child and Family Services Agency



Pursuant to section 202(c) of the Procurement Practices Reform Act of 2010, as amended, D.C. Official Code § 2-352.02(c), the following contract summary is provided:

COUNCIL CONTRACT SUMMARY
(RETROACTIVE)

(A) Contract Number: DCRL-2013-H-00390

Proposed Contractor: PSI Family Services, Inc.

Contract Amount (Option Year 3): \$3,293,295.09

Unit and Method of Compensation: The resulting contract will have fixed unit rates per client, fixed administrative rates and cost reimbursement for specific costs that are supported and substantiated by the contractor with a ceiling amount set forth in Section B.

Term of Contract: December 16, 2016 through December 15, 2017

Type of Contract: A human care agreement, which becomes a contract for any issued task order(s).

Source Selection Method: Request for Qualifications/Request for Proposal Business Plan

(B) For a contract containing option periods, the contract amount for the base period and for each option period. If the contract amount for one or more of the option periods differs from the amount for the base period, provide an explanation of the reason for the difference:

Base Period Amount: \$4,686,847.67

Option Period 1 Amount: \$4,749,491.78

Explanation of difference from base period (if applicable):

Option year one the per diem rates were increased as follows:

1. Therapeutic Foster Care Maintenance is increased from \$41.79 to \$42.01
2. Therapeutic Teen Parent with 1 Child is increased from \$62.68 to \$63.02

Option Period 2 Amount: \$4,673,166.54

Explanation of difference from base period (if applicable):

For the option year two the maximum number of clients for therapeutic case management decreased from 90 to 88; the maximum number of clients for therapeutic foster case maintenance decreased from 86 to 84.

And the option year two, Section B, Price Schedule was revised to reflect the leap year of 366 days in lieu of the 365 days in the base and option years.

In addition throughout the contract year, adjustments were made to the contract capacity based on the needs of the Agency. The option year two not to exceed contract amount was \$4,673,166.54 for the period of December 16, 2015 to December 15, 2016.

Option Period 3 Amount: \$ 3,293,295.09

Explanation of difference from base period (if applicable):

For the option year three the maximum number of clients for therapeutic case management decreased from 88 to 50, the maximum number of clients for therapeutic foster care maintenance decreased from 84 to 47 and the maximum number of clients for therapeutic teen parent with 2 children decreased from 4 to 3.

In addition, the per diem rates were increased as follows:

1. Therapeutic Case Management increased from \$35.34 to \$35.92

Option Period 4 Amount: \$ N/A

Explanation of difference from base period (if applicable):

(C) The goods or services to be provided, the method of delivering goods or services, and any significant program changes reflected in the proposed contract:

The Government of the District of Columbia's Child and Family Services Agency (CFSA), is responsible for protecting children and youth that have been removed from their natural home due to abuse and/or neglect and, for those needing to be removed from their homes, ensuring a foster care placement that can effectively support children and youth in achieving their goals of safety, permanence.

CFSA plans to utilize case management and family based foster care for those children and youth ranging in age from birth through twenty-one (21) years that have been removed from their natural home due to abuse and/or neglect. CFSA continues to prioritize family based foster care for young and older children alike.

Providers of family based foster care services shall provide children and youth with a set of high quality services that include a safe and stable foster care placement with a structured treatment environment that fosters positive child and youth development, and proactive case management work that succeeds in achieving permanence. CFSA expects that family based foster care agencies will meet outcomes as established in this scope of work and will complete requirements set forth by the Adoption and Safe Families Act (ASFA, H.R. 6893), the LaShawn A. v. Bowser

Implementation and Exit Plan, and Fostering Connections to Success and Increasing Adoptions Act (Public Law 105-89).

(D) The selection process, including the number of offerors, the evaluation criteria, and the evaluation results, including price, technical or quality, and past performance components:

A panel reviewed the Contractor Qualifications Records (CQRs) that were submitted by eighteen providers. The CQRs were reviewed using the evaluation criteria listed in the solicitation.

All eighteen providers were deemed qualified.

A second evaluation panel was requested to review the business plans using the evaluation criteria listed in the solicitation.

The panel completed its review of the business plans on May 6, 2013 and provided a report to the Contracting Officer.

Various factors were taken into consideration in determining the number of HCAs to award. The factors were: The Provider's current census, the strength of the Provider's Business Plan and the total FY 2014 bed need.

The panel's initial recommendation was to award a total of nine Human Care Agreements (HCA). However, after the conclusion of the negotiations, the Contracting Officer determined one prospective provider, to be non-responsible. Additionally, upon completion of the negotiations, another proposed provider declined to proceed. As a result, the Contracting Officer decided to add the next two highest ranked providers, based on scoring, to satisfy CFSA's requirements.

CFSA awarded HCAs to the following nine (9) top providers:

Provider	Service Category
BoysTown	Traditional; Teen Parent with 1 Child and Therapeutic
Family Matters	Traditional and Therapeutic
Foundations	Traditional and Therapeutic; Teen Parent with 1 Child
Kidspace	Traditional; Teen Parent with 1 Child and Therapeutic; Teen Parent with 1 Child
Latin American	Traditional and Therapeutic
Lutheran Social Services	Traditional; Teen Parent with 1 Child and Therapeutic
NCCF	Traditional; Teen Parent with 1 Child, Therapeutic; Teen Parent with 1 Child and
PSI	Traditional; Teen Parent with 1 Child, Therapeutic; Teen Parent with 1 Child and Specialized
Seraaj	Traditional, Therapeutic; Teen Parent with 1 Child and Specialized

This action is to exercise Option Year 3.

(E) A description of any bid protest related to the award of the contract, including whether the protest was resolved through litigation, withdrawal of the protest by the protestor, or voluntary corrective action by the District. Include the identity of the protestor, the grounds alleged in the protest, and any deficiencies identified by the District as a result of the protest:

None

(F) The background and qualifications of the proposed contractor, including its organization, financial stability, personnel, and performance on past or current government or private sector contracts with requirements similar to those of the proposed contract:

The PSI Family Services, Inc. is an organization with a reputation for providing Foster Care Services. This organization has supported CFSA in providing this service over an extended period, and has a proven track record of providing deliverables on time and within the prescribed budget. PSI Family Services, Inc. has provided services pursuant to contract number DCRL-2013-H-00390 since December 2014 in a satisfactory manner. Its satisfactory performance over the course of the last two years indicates that it has the necessary organization stability to include finances and personnel.

(G) The period of performance associated with the proposed change, including date as of which the proposed change is to be made effective:

Modification M023 exercised a partial option to extend the human care agreement for a period from December 16, 2016 through April 4, 2017. Proposed modification M024 is the remaining partial option to extend the human care agreement for a period from April 5, 2017 through December 15, 2017.

(H) The value of any work or services performed pursuant to a proposed change for which the Council has not provided approval, disaggregated by each proposed change if more than one proposed change has been aggregated for Council review:

Modification M023 exercised a partial option to extend the human care agreement for a period from December 16, 2016 through April 4, 2017 in the amount of \$992,500.30. Services will be provided pursuant to Modification M023 as of December 16, 2016.

Proposed modification M024 is the remaining partial option to extend the human care agreement for a period from April 5, 2017 through December 15, 2017 in the amount of \$2,300,794.79.

(I) The aggregate dollar value of the proposed changes as compared with the amount of the contract as awarded:

The aggregate dollar value of \$3,293,295.09 is based on the adjustments of the contract capacity throughout the year as compared of the proposed changes with the amount of the contract as awarded.

(J) The date on which the contracting officer was notified of the proposed change:
November 11, 2016

(K) The reason why the proposed change was sent to Council for approval after it is intended to take effect:

Initially, CFSA issued a new Request for Qualifications with the intent of issuing new human care agreements in FY17. However, on or about, November 11, 2016, for programmatic and budgetary reasons, the agency decided to exercise option year three with the existing human care agreement, DCRL-2013-H-00390, while CFSA re-evaluates the programmatic models for these services. The current contract is scheduled to expire on December 15, 2016. To ensure uninterrupted service delivery to approximately 50 abused/neglected youth that have been removed from their homes, a partial option was exercised for the period of December 16, 2016 through April 4, 2017 in the amount of \$992,500.30. Services have been provided pursuant to Modification M023 as of December 16, 2016. Proposed modification M024 is the remaining partial option to extend the human care agreement for a period from April 5, 2017 through December 15, 2017 in the amount of \$2,300,794.79.

(L) The reason for the proposed change:

The reason for the proposed change is to exercise option year three in the amount of \$3,293,295.09

(M) The legal, regulatory, or contractual authority for the proposed change:

27 DCMR Section 36; Section 15, Changes of the Standard Contract Provisions for Use with District of Columbia Government Supplies and Services Contracts.

(N) A summary of the subcontracting plan required under section 2346 of the Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005, as amended, D.C. Official Code § 2-218.01 *et seq.* ("Act"), including a certification that the subcontracting plan meets the minimum requirements of the Act and the dollar volume of the portion of the contract to be subcontracted, expressed both in total dollars and as a percentage of the total contract amount:

The subcontracting requirement was waived by DSLBD on December 6, 2016.

(O) Performance standards and expected outcomes of the proposed human care agreement:

The contractor is expected to provide all necessary functional and technical expertise and management strategies to perform therapeutic, traditional and specialized family based foster care services in accordance with the provisions contained in the contract.

The contractor is expected to comply with all federal and District laws, regulations and standards governing child welfare, including those established by the Agency and under the Adoptions and Safe Families Act. The Contractor is also expected to comply with all Health Insurance Portability and Accountability Act of 1996 (HIPAA) requirements.

(P) The amount and date of any expenditure of funds by the District pursuant to the contract prior to its submission to the Council for approval:

None

- (Q) A certification that the proposed contract is within the appropriated budget authority for the agency for the fiscal year and is consistent with the financial plan and budget adopted in accordance with D.C. Official Code §§ 47-392.01 and 47-392.02:**

The Agency Chief Financial Officer has certified that there is sufficient funding available.

- (R) A certification that the proposed contract is legally sufficient, including whether the proposed contractor has any currently pending legal claims against the District;**

The District of Columbia, Office of the Attorney General (OAG) has approved this contract for legal sufficiency,

- (S) A certification that Citywide Clean Hands data indicated that proposed contractor is current with its District taxes. If the Citywide Clean Hands Database indicates that the proposed contractor is not current with its District taxes, (1) a certification that the contractor is not current with a payment schedule approved by the District; or (2) a certification that the contractor will be current with its District taxes after the District recovers any outstanding debt as provided under D.C. Official Code § 2-353.01(b):**

The Citywide Clean Hands data base indicates that PSI Family Services, Inc. is current with its District taxes,

- (T) A certification from the proposed contract that it is current with its federal taxes, or has worked out and is current with a payment schedule approved by the federal government:**

The contractor, PSI Family Services, Inc. has certified that it is current with its federal taxes.

- (U) The status of the proposed contractor as certified local, small, or disadvantaged business enterprise as defined in the Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005, as amended; D.C. Official Code § 2-218.01 *et seq.*:**

None

- (V) Other aspects of the proposed contract that the Chief Procurement Officer considers significant:**

None

- (W) A statement indicating whether the proposed contractor is currently debarred from providing services or goods to the District or federal government the date of the debarment, and the reasons for debarment:**

The Contractor does not appear on the Lists of Parties Excluded from Federal Procurement or Non-Procurement Programs, nor is the Contractor the subject of a pending or completed suspension or debarment action by the District of Columbia's Office of Contracting and Procurement.

(X) Any determination and findings issues relating to the contract's formation, including any determination and findings made under D.C. Official § 2-353.05 (privatization contracts):

Determination and Findings as follows: a) Price Reasonableness, b) Cost Reimbursement
c) Contractor Responsibility; and Use of Human Care Agreement dated November 14, 2012.

(Y) Where is the contract, and any amendments or modification, if executed, will be made available online:

The executed contracts will be posted on the Office of Contracting and Procurement (OCP) available online:

http://app.ocp.dc.gov/RUI/information/scf/online_index.asp

(Z) Where the original solicitation, and any amendments or modifications, will be made available online:

The original solicitation, and any amendments or modifications will be posted on the Office of Contracting and Procurement (OCP) available online:

<http://app.ocp.dc.gov/RUI/information/scf/solicitation>



Government of the District of Columbia

CERTIFICATE OF CLEAN HANDS

PSI SERVICES III INC
8301 PROFESSIONAL PL STE 205
HYATTSVILLE, MD 20785-2353

EIN : *****0036

As reported in the Citywide Clean Hands system, the above referenced individual or entity has no outstanding liability with the District of Columbia. As of the date herein, you have complied with the following official DC code and therefore are issued this Certificate of Clean Hands.

TITLE 47. TAXATION, LICENSING, PERMITS, ASSESSMENTS AND FEES
CHAPTER 28. GENERAL LICENSE LAW
SUBCHAPTER II. CLEAN HANDS BEFORE RECEIVING A LICENSE OR PERMIT
D.C. Code § 47-2862 (2006)
§ 47-2862. Prohibition against issuance of license or permit.

Authorized By Bobby Tucker
Chief Collection Division

Date: Thursday this 1st day of December 2016 02:19 PM

Tracking#: 597013

This document is a certified, complete and true copy.

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Child and Family Services Agency



Office of Finance

MEMORANDUM

TO: Brenda Donald
Interim Director

FROM: Justin Kopca
Agency Fiscal Officer

DATE: **DEC** 15 2016

SUBJECT: Certification of Funds Availability
Total Contract Value: \$3,293,295.09

This memorandum certifies that the Child and Family Services Agency (CFSA) has in its fiscal year 2017 budget \$3,293,295.09 to meet the obligation for the proposed contract, from Date of Award through September 30, 2017 continuation beyond FY 2017 is subject to appropriations. Use continuation beyond FY-2017 is subject to the availability of funding in FY-2018.

Proposed Contract No: DCRL-2013-H-00390

Proposed Contract Action: Exercise of Option Year Three

Period of Performance: December 16, 2016 through December 15, 2017

Contractor: PSI Family Homes, Inc.

Type of Service: Case Management and Family Based Foster Care Services

Contract Action Value: \$3,293,295.09

If you have any questions or require additional information, I can be reached on 202-727-7676 or you may contact Tara Sigamoni, Contracts and Procurement Administrator, Child and Family Services Agency on 202-724-7415.

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Office of the Attorney General

ATTORNEY GENERAL
KARL A. RACINE



Legal Counsel Division

MEMORANDUM

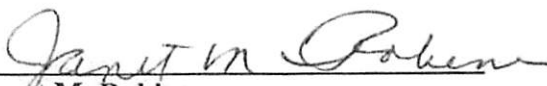
TO: Lolita S. Alston
Director
Office of Legislative Support

FROM: Janet M. Robins
Deputy Attorney General
Legal Counsel Division

DATE: January 5, 2017

SUBJECT: Legal Sufficiency Review of Draft Bill "Modifications to Human Care Agreement No. DCRL-2013-H-00390 with PSI Family Services, Inc. Approval and Payment Authorization Emergency Act of 2017" and Draft Emergency Declaration Resolution (AE-16-744)

This is to Certify that this Office has reviewed the above-referenced draft bill and resolution and found them to be legally unobjectionable. If you have any questions in this regard, please do not hesitate to call me at 724-5524.


Janet M. Robins