



**PETITION FOR RELIEF FROM BIDDING AS A PROCUREMENT METHOD
(INDEPENDENT CONTRACTOR)**

Agency: Mississippi State Hospital
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Date Form Submitted to PPRB's OPSCR staff: 06/01/2022
Requested PPRB Meeting Date: 07/06/2022
Briefly describe the proposed scope of work for the procurement:

The Mississippi State Hospital seeks to contract with two individual clinical and/or forensic psychologists (not a company, agency, or firm) to work as independent contractors to complete outpatient, court-ordered mental health evaluations of competence to stand trial, mental state at the time of the alleged offense, violence risk assessments, competence to waive or assert constitutional rights, *Atkins* evaluations, and mitigation evaluations.

1. Petition for relief from bidding (the use of Invitation for Bids) as a procurement method may be requested for one of the reasons listed below. Check the reason that prevents your agency from using Invitation for Bids (IFB) as a procurement method for this service:

- ☐ Federal and/or state law has established limitations on the use of competitive bidding for the personal or professional contracts the agency is seeking to procure;
- ☐ The agency is required to hire professionals whose members are prohibited from bidding by the rules of professional conduct promulgated by the regulating agency or agencies for that professional; or
- ☒ Competitive bidding through the use of an Invitation for Bids (IFB) is not practicable and advantageous to the business of the agency.

2. Provide a detailed explanation of the reason(s) why a procurement method other than bidding (IFB) is requested (attach supporting documentation including, but not limited to, any identified laws, orders, rules, or regulations issued by a governing body):

Mississippi State Hospital is home to the State's only Forensic Services Unit, which includes the Forensic Evaluation Service (FES). Currently, FES is responsible for completing inpatient and outpatient court-ordered mental health evaluations of competence to stand trial, mental state at the time of the alleged offense, violence risk assessments, competence to waive or assert constitutional rights, *Atkins* evaluations, and mitigation evaluations. At times, the complexity of the evaluation necessitates consultation with an expert in the field of forensic psychiatry or psychology. Because these experts are defined based on specialized training in and comprehensive knowledge of forensic psychiatry or psychology, and less on the price charged for their service, it is the opinion of the agency that a Request for Qualifications is the most advantageous procurement method to use in seeking out these services. In addition, the expert



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consulted must be privileged to perform forensic mental health evaluations by Mississippi State Hospital; credentialing of this sort will be accomplished through discussions via an interview with the agency's Behavioral Health Services Department. The agency has successfully used this method to procure these services in the past.

3. If petition for relief from bidding is granted, a competitive procurement procedure for selecting the vendor must be established. The PPRB may audit your records to ensure competitive procedures were used to procure the required service. If the request for petition for relief from bidding (IFB) is granted, please indicate the method of procurement that will be used:

- ☐ Request for Proposals
☒ Request for Qualifications
☐ Other (Please explain):

4. When will the procurement be issued and/or advertised? Depending on the timing of the PPRB's approval of this request for relief, the agency would like to advertise in mid-July or early-August.
5. When will the vendor(s) be selected? Per the MS Procurement Manual, respondents will be given 30 days to provide their proposal in writing; therefore, the earliest a vendor may be selected from this process would be the end of August.
6. How many contract(s) will be issued as a result of the procurement? It is the intent of the agency to award at least 2 contracts as a result of this procurement.
7. What evaluation factors will be used and what is the weight/percentage of each factor?

The following evaluation factors will be used in scoring the submitted proposals:

Credentials	33%
Experience	22%
Interview	10%
Price	35%

8. What is the anticipated term of the contract? It is the agency's intent to award a four-year contract with one optional renewal period of twelve months as a result of this procurement.
9. Will the contract include renewal terms? If yes, how many? Yes, it is the intent of the agency to include one optional renewal term.
10. What is the anticipated total amount of funds expended under the contract? It is estimated that the agency will expend an estimated \$850,000 for each four-year contract awarded; it is estimated that each renewal term will cause the agency to expend another \$210,000.
11. Will the contract negate the need for an existing PIN/WIN? If so, please explain how the contract is more cost effective: No, PIN/WIN elimination will not occur as a result of this procurement.
12. Please indicate whether procurement is associated with any new, continued, expanded, or terminated program(s): While this procurement has been related to a continued program in the past, it is currently being associated with an expanded program. Because of the increased need of forensic mental health evaluations throughout our state and the unprecedented attention



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Office of Personal Service Contract Review
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these services are garnering, Mississippi State Hospital, in collaboration with the Department of Mental Health, is working to expand the forensics services of the Hospital. As a result, the services of the experts being contracted with in this procurement will be more heavily utilized than in past procurements.

13. Please provide the names of the Evaluation Committee members. Thomas V. Recore, M.D., State Director of Forensic Services and Special Projects; Amanda L. Gugliano, Psy.D., Director of Forensic Evaluation Service; and Reb McMichael, M.D., Service Chief of Forensic Services, will evaluate the RFQs based on the aforementioned factors.

14. Has relief from bidding of this service been previously requested? ☐ No ☒ Yes

If "Yes" please explain and attach the previous approval or denial. If denied, please explain why this request is different. What was the date of the previous PPRB meeting when this was considered by the Board?

The last procurement of these services was completed as an RFQ prior to January 1, 2018.



Chief Procurement Officer Signature



Date