



*First Judicial District of Pennsylvania
Procurement Unit
368 City Hall
Philadelphia, Pennsylvania 19107
(215) 683-7940
(215) 683-7942 Fax
<http://courts.phila.gov>*

Marc Flood, Esquire
Deputy Court Administrator

September 16, 2019

Dear Prospective Respondent:

You are invited to submit a proposal for a Professional Services Contract to serve in the capacity of Mental Health Hearing Site for the Philadelphia Court of Common Pleas.

All proposals must be submitted in five (5) copies to: *Mental Health Hearing Site, First Judicial District of Pennsylvania, Procurement Unit, 368 City Hall, Philadelphia, Pennsylvania 19107.*

Proposals must be received in a sealed envelope at the above address no later than 3:00 P.M., Wednesday, 10/16/19. Late proposals will not be considered regardless of the reason.

All questions should be directed, in writing and no later than 3:00 p.m., Monday, 9/30/19, to Stephanie Rigterink, Esquire, Procurement Unit, First Judicial District of Pennsylvania, 368 City Hall, Philadelphia, PA 19107 via email to Stephanie.rigterink@courts.phila.gov or via fax at (215) 683-7942. All Vendors registered as receiving the RFP will be provided with an official Q&A Statement addressing all questions raised. In addition, all official updates and/or information related to this solicitation will be posted on the FJD's website at <http://courts.phila.gov>.

We expect that evaluation of the proposals and selection of the respondent will be completed as soon as possible; all bidders will be notified.

Sincerely,

A handwritten signature in cursive script that reads "Marc Flood" followed by a small flourish.

Marc Flood, Esquire
Deputy Court Administrator

Enclosure: Request for Proposal

Table of Contents

| | | |
|----|------------------------------------------------------------------------------------------------|---------|
| 1. | Purpose..... | Page 1 |
| 2. | Background..... | Page 1 |
| 3. | Provider’s Obligations | Page 2 |
| 4. | Bidder Qualifications | Page 3 |
| 5. | Issuing Office..... | Page 4 |
| 6. | Procurement Process | Page 4 |
| | a. Timetable | Page 4 |
| | (i) RFP Issued..... | Page 4 |
| | (ii) Proposals Due | Page 4 |
| | (iii) Bid Opening..... | Page 5 |
| | (iv) Contractor Selected..... | Page 5 |
| | (v) Extension of the Selection Period..... | Page 5 |
| | b. Selection Committee..... | Page 5 |
| | c. Selection Process | Page 5 |
| | d. Information Required from Bidders..... | Page 5 |
| | (i) Statement of the Problem..... | Page 5 |
| | (ii) Work Plan..... | Page 5 |
| | (iii) Personnel | Page 5 |
| | (iv) Cost and Related Information..... | Page 5 |
| | e. Criteria for Selection..... | Page 6 |
| | (i) Bidders Qualifications | Page 6 |
| | (ii) Cost..... | Page 6 |
| | (iii) Personnel Qualifications | Page 6 |
| | (iv) Understanding the Problem and Needs..... | Page 6 |
| 7. | Additional Conditions Governing the Procurement Process..... | Page 6 |
| | a. Rights Reserved | Page 6 |
| | b. Conditions of Bidding and Instructions | Page 7 |
| | (i) Preparation of Proposal | Page 7 |
| | (ii) Acceptance and Rejection of Proposals..... | Page 7 |
| | (iii) Rejection of Proposals..... | Page 7 |
| | (iv) Incurring Costs | Page 8 |
| | (v) RFP Amendments | Page 8 |
| | (vi) Proposal Amendments and Rules for Withdrawal..... | Page 8 |
| | (vii) Anti-Bribery | Page 8 |
| | (viii) Offer of Gratuities | Page 8 |
| | (ix) Restrictions on Contact with FJD Personnel | Page 8 |
| | (x) Conflict of Interest | Page 8 |
| | (xi) News Releases..... | Page 8 |
| | (xii) Nondiscrimination..... | Page 8 |
| | (xiii) Surety for Proposals..... | Page 10 |
| | (xiv) Penalty for Failure to Execute Contract..... | Page 10 |
| | (xv) Disadvantaged Minority, Women and Disabled Owned Business Enterprises (M/W/DSBE)..... | Page 10 |
| | (xvi) Qualifications to Do Business..... | Page 10 |
| | (xvii) Prohibition on Foreign Corporations..... | Page 10 |
| | (xviii) Rejection of Collusive Bids..... | Page 10 |
| | (xix) Negotiation of Contract..... | Page 10 |
| | (xx) Restrictions on the Use of Former Judiciary Personnel..... | Page 10 |
| | (xxi) Public Disclosure..... | Page 11 |

First Judicial District of the Commonwealth of Pennsylvania
Philadelphia Court of Common Pleas

Request for Proposal
For a
Professional Services Contract

MENTAL HEALTH HEARING SITE

September 16, 2019

1. Purpose

The First Judicial District of Pennsylvania, hereafter known as the FJD, issues this Request for Proposal (“RFP”) for a qualified medical facility(ies) to serve in the capacity of Mental Health Hearing Site(s) for the Philadelphia Court of Common Pleas pursuant to the terms and conditions of this RFP.

2. Background

Civil Mental Health proceedings in Philadelphia are governed by the Mental Health Procedures Act of 1976, as amended (MHPA), as well as Philadelphia Rules of Civil Procedure Nos. 7109 and 7109.1. Generally, the parties involved are: the *Petitioner* (party seeking involuntary commitment, i.e. a family member, the Mental Health Administrator of the County Office of Mental Health (“OMH”) or the Director of the medical facility where the respondent (party for whom commitment is being requested) is being held and the involuntary treatment rendered, or any individual who has direct knowledge of the alleged behavior) who is represented by the City Solicitor’s Office; the *Patient (Respondent)* who is represented by counsel appointed by the President Judge of the Court of Common Pleas or her designee (usually attorneys employed by the Defender Association of Philadelphia); the *Mental Health Review Officer* (“MHRO”), who is an attorney appointed by the President Judge of the Court of Common Pleas, as provided in Philadelphia Civil Rule 7109, to conduct informal conferences and hearings and to issue certifications and decisions concerning the necessity of involuntary treatment; and the County Office of Mental Health (“OMH”), through PMHCC, which is mandated by the MHPA to provide mental health treatment to those individuals determined to need it.

Generally, the MHPA authorizes the emergency examination and treatment of individuals who are alleged to be severely mentally disabled and in need of immediate treatment, at a treatment facility designated by the OMH county administrator, for a period not to exceed 120 hours through the filing of an *Application For Involuntary Emergency Examination and Treatment*, pursuant to Section 302 of the MHPA, with the *Delegates of the Office of Mental Health*. An *Application for Extended Involuntary Treatment* under Section 303 of the MHPA, may be filed to seek additional treatment for any person who is being treated pursuant to Section 302 whenever the treating physician determines that the need for emergency treatment is likely to extend beyond 120 hours. The *Application* pursuant to Section 303 of the MHPA must be filed before the expiration of the 120 hours of the initial involuntary commitment under Section 302. Similarly, prior to the expiration of the involuntary commitment pursuant to Section 303, petitions may be filed under Sections 304 and 305 of the MHPA for additional periods of involuntary commitment, as well as pursuant to Section 306 of the MHPA for the transfer of patients receiving involuntary mental health treatment to a mental health treating facility which involves greater restraint.

All *Applications* and *Petitions* under the MHPA are filed electronically through the FJD’s Civil Mental Health’s Electronic Filing Program, which is accessed through the FJD’s website (www.courts.phila.gov), as provided by Phila.R.Civ.P. No. 7109.1.

On any given day, approximately twenty-seven (27) medical facilities may file applications or petitions, as referenced above, which must be scheduled for a conference or hearing, pursuant to established protocols.

Each hearing list may contain from one to as many as thirty cases or more. The exact number cannot be determined until the day of the hearing in light of the MHPA’s requirement that applications under Section 303 (which consist of approximately eighty percent (80 %) of the petitions filed pursuant to the MHPA) must be heard within twenty-

four (24) hours of the filing date. Approximately 5,600 Applications and Petitions are filed on a yearly basis.

Hearings are currently held by the Court-appointed MHROs at three (3) Mental Health hearing sites: Friends Hospital, 4641 Roosevelt Boulevard, Philadelphia, PA 19128; Albert Einstein Medical Center, 5583 Park Avenue, Philadelphia, PA 19141; and Girard Medical Center, 8th Street and Girard Avenue, Philadelphia, PA 19122. As the Mental Health Schedule (*Attachment 1*) shows, one hearing facility is utilized four times per week, and the remaining facilities two times per week.

This RFP is issued to permit interested medical facilities throughout Philadelphia County to submit a bid to provide, at no cost to the FJD and related organizations, hearing space and services within their medical facility to be used by the court-appointed Mental Health Review Officers, the filing facilities, the patient, counsel for the parties, representatives of responsible City of Philadelphia entities in connection with the hearing process as described above. The FJD anticipates selecting hearing sites geographically located throughout Philadelphia County so as to provide substantial equal access to the various participants identified above according to the patients' residence, treatment location, as well as the location of the petitioners or witnesses.

All hearing sites must provide the goods and services identified in the Attachments that follow in order to standardize all hearing facilities insofar as the size of the hearing room, petitioner and respondent areas, interview rooms and electronic access and computerization.

The current hearing site facilities are encouraged to participate in this RFP, although prior designation as a "hearing site" will not guarantee such designation pursuant to this process.

3. Provider's Obligations: Criteria for Mental Health Court Sites

The list which follows identifies, in no particular order, the basic services to be provided, or the requirements which must be met, by the prospective hearing site:

a. Physical Requirements

- Handicap accessible entrances, exits and bathrooms.
- Adequately sized "Hearing Room" with a separate table/desk for the MHRO. The minimum size of the hearing room, and lay-outs, are set forth in *Attachment 2* and *Attachment 3*.
- Separate "waiting rooms" for patients and petitioners. The Petitioner waiting room must be equipped with a Bulletin Board and display rack for information and literature concerning Mental Health and available services.
- Minimum of three (3) interview rooms - accessible from either of the waiting rooms. Each interview room must have a telephone, and Wi-Fi access.
- Adequate furniture (clean, and matching if possible) in all rooms.
- Broadband internet access for the computers in the Hearing Room and Wi-Fi back-up in the event Broadband high-speed access fails.
- Three (3) Computers and 22 inch flat-screen monitors and related equipment for accessing the Civil Mental Health Electronic Filing System used by the MHRO, the City Solicitor and the Defender Association of Philadelphia (or other attorney who represents the Patient/Respondent), as well as a printer, copier and scanner linked to the computer used by the MHRO for scanning documents introduced at hearings which must be made part of the proceedings. An All-in-One laser printer (copier/scanner/fax) may suffice. The

Hearing Facility shall be solely responsible for the upkeep, maintenance, and repair of all equipment provided, as well as paper and ink/toner. The minimum Specifications shall be as set forth in *Attachment 4*.

- A shredder, used to shred any confidential documents, and any documents not retained by the parties.
- The Court will supply *for Gold*, or similar software and required hardware to be installed and used by the MHRO necessary for producing digital recordings of the proceedings.
- Telephone or pay phone in the petitioners' waiting room.
- Water cooler in the Hearing Room, and adequate water coolers for all participants;
- A patient bathroom, and an adequate number of bathrooms for all other participants.
- Appropriate signage and directions to the Hearing Site location both outside the facility, and inside.
- Parking for Court personnel (free of charge) close to Mental Health site; available parking for petitioners and other participants.
- Adequate climate control (describe method, i.e. central HVAC, or window units. If the latter, its decibel level must be such as to enable the MHRO and other participants to hear the witnesses while the unit is operational.
- Secure lockers for weapons.
- Appropriate secure location for patient medication and related items to be used by transporting facilities
- Food vending machine, or cafeteria, must be accessible to all participants.

b. Services

- Each prospective facility must designate and assign one or more facility staff to act as *Court Coordinator* on the days cases are scheduled for the Hearing Site. The Court Coordinator shall be present in the environs of the Hearing Room at least 30 minutes before the announced starting time of the hearings and remain until all cases are heard and disposed and all required documentation completed.
- The duties of the *Court Coordinator* shall include, but not be limited, the following:
 - set up and insure that the computers, monitors, printer/scanner, and recording equipment, are in good working order, on each hearing date, before the arrival of the MHRO and attorneys;
 - secure the recording equipment, computer and related hardware and software at the end of the hearing session;
 - coordinate the arrival of the petitioning parties, hospitals, treating physicians, witnesses, etc. to the hearing site;
 - work with the hospitals and their techs to facilitate the transportation to and from the hearing room;
 - provide copies of pleadings as required by the MHRO from time to time;
 - oversee the maintenance of the Mental Health Hearing Site;
 - contact appropriate Hearing Facility IT staff and hospital staff if any hardware and software is not operational during scheduled hearing dates;
 - act as liaison between the Civil Mental Health participants and the hospital staff and related personnel;
 - shred any documents which are left in the Hearing room at the end of each day Court is in session; and
 - provide such other services as necessary to facilitate smooth operation of Civil Mental Health proceedings, and as may be identified from time to time.
- Each prospective facility must designate and assign IT staff to insure operation of hearing equipment (computer and related equipment including software) and the transmittal of audio recordings to the FJD on a monthly basis, or sooner as may be requested, especially in connection with a Petition for Review.

c. Security Personnel

- Security personnel, to be on-duty while court is in session and until the petitioners, patients and MHRO leave the hearing site.

4. Bidder Qualifications

The bidder must be a medical facility. The FJD anticipates selecting hearing sites geographically located throughout

Philadelphia County so as to provide substantial equal access to the various participants identified above according to the patients' residence, treatment location, as well as the location of the petitioners or witnesses. All hearing sites must provide the goods and services as identified herein in order to standardize all hearing facilities insofar as the size of the hearing room, petitioner and respondent areas, interview rooms and electronic access and computerization.

5. Issuing Office

The FJD is the sole point of contact with regard to all procurement and contractual matters relating to the services described herein. The FJD is the only office authorized to change, modify, amend, alter or clarify the specifications, terms and conditions of this RFP. The FJD reserves the right to cancel this RFP at any time. All communications regarding this procurement must be in writing and sent to:

First Judicial District of Pennsylvania
Procurement Unit
368 City Hall
Philadelphia, Pennsylvania 19107
Attention: Stephanie B. Rigterink, Esquire
Labor, Procurement and Litigation Attorney
Fax Number: (215) 683-7942
Stephanie.rigterink@courts.phila.gov

6. Procurement Process

a. Timetable

(i) RFP Issued

A copy of the RFP will be published and sent to all bidders registered on the FJD's bidders list. Alternately, Bidders may request a copy of the RFP by telephone, by letter, downloaded from the FJD's website at <http://courts.phila.gov>, or may pick up a copy in person at the following address and telephone number:

First Judicial District of Pennsylvania
Procurement Unit
368 City Hall
Philadelphia, PA 19107
(215) 683-7940

If mailed, the RFP will be sent by regular mail. Once mailed, the FJD is under no obligation to assure delivery of the RFP.

(ii) Proposals Due

Five copies of proposal must be received by the FJD no later than 3:00 p.m., Wednesday, October 16, 2019 Eastern Standard Time at the following address:

First Judicial District of Pennsylvania
Procurement Unit
Attn: Mental Health Hearing Site RFP
368 City Hall
Philadelphia, PA 19107
Attention: Marc Flood, Esquire
Deputy Court Administrator

All questions should be directed, in writing, no later than 3:00 p.m., Monday, September 30, 2019, via facsimile at (215) 683-7942 or electronically at Stephanie.rigterink@courts.phila.gov.

(iii) Bid Opening

Proposals shall be time and date stamped and their receipt recorded as they are received by the issuing officer. Proposals will be opened simultaneously by such representatives of the FJD as may be selected by the Court Administrator or other appointing authority.

(iv) Contractor Selected

It is the intention of the FJD to award the contract as soon as possible. The selected Bidder will be contacted by the FJD as soon as possible after the selection is made. Unsuccessful bidders will be contacted 30 days subsequent to the signing of a contract with the selected Bidder. **No telephone or other informal form of contact by bidders will be accepted by the FJD during the procurement process; all communication from bidders must be in writing.**

(v) Extension of the Selection Period

The FJD requires that the Bidder's proposal be valid for a minimum period of sixty (60) days.

b. Selection Committee

A Selection Committee comprised of representatives from the FJD will be established to evaluate the proposals.

c. Selection Process

It is the intent of the FJD to conduct a comprehensive, fair, and impartial evaluation of proposals received in response to this procurement. The selection will be conducted in the following three phases:

- Phase I - Selection of responsive proposals
- Phase II - Evaluation of responsive proposals and recommendation to the President Judge of the Philadelphia Court of Common Pleas
- Phase III - Recommendation and selection of successful bidder

d. Information Required from Bidders

Bidders' responses must be submitted in the format outlined below. To be considered, the proposal must respond to all the requirements of the RFP. Any other information thought to be relevant, but not applicable to the enumerated categories, should be provided as an appendix to the proposal.

(i) Statement of the Problem

State in succinct terms your understanding of the services required by this RFP.

(ii) Work Plan

Describe in narrative form your technical plan for accomplishing the tasks required.

(iii) Personnel

Include the names, resumes, and qualifications of the personnel who will perform the work required by this RFP, especially for the Court Coordinator. Include their experience in the services to be provided and the responsibilities that they will have. List references and similar projects requiring like experience and expertise in which specific personnel have been involved.

(iv) Cost and Related Information

This RFP is issued to permit interested medical facilities throughout Philadelphia County to submit a bid to provide, at no cost to the FJD and related organizations, hearing space and services within their medical facility to be used by the court-appointed Mental Health Review Officers, the filing facilities, the patient, counsel for the parties, representatives of responsible City of Philadelphia entities in connection with the hearing process as described above.

e. **Criteria for Selection**

All responses will be reviewed and evaluated by a Committee of FJD representatives appointed by the President Judge of the Philadelphia Court of Common Pleas. This Committee will recommend for selection the proposal that most closely satisfies the requirements of the RFP and the needs of the FJD.

(i) **Bidders Qualifications**

This refers to the ability of the Respondent to meet all of the terms of the RFP.

(ii) **Cost**

This RFP is issued to permit interested medical facilities throughout Philadelphia County to submit a bid to provide, at no cost to the FJD and related organizations, hearing space and services within their medical facility to be used by the court-appointed Mental Health Review Officers, the filing facilities, the patient, counsel for the parties, representatives of responsible City of Philadelphia entities in connection with the hearing process as described above.

(iii) **Personnel Qualifications**

This refers to the competence of professional personnel who will perform the work required by this RFP. Qualifications of professional personnel will be measured by experience with particular reference to experience on similar projects described in the RFP.

(iv) **Understanding the Problem and Needs**

This refers to the Bidders' understanding of the needs and/or problems specified in the RFP, the objectives in asking for the services, and the nature and scope of the work involved.

7. **Additional Conditions Governing the Procurement Process**

Bidders must be aware of the following additional conditions governing this procurement:

a. **Rights Reserved**

Upon determination that its best interests would be served, the FJD shall have the right to:

- Cancel the procurement at any time prior to the Contract award.
- Amend this solicitation at any time prior to bid closing time and date.
- Refuse to consider proposals which do not conform to solicitation requirements. One copy of any proposal which is returned as nonconforming will be retained by the FJD for documentation purposes.
- Require bidders, at their expense, to submit written clarification of proposals in any manner or format that the FJD may require.
- Require that all proposals submitted in response to this solicitation, upon receipt by the FJD, become the property of the FJD.
- Invite bidders, but not necessarily all, to make an oral presentation. The FJD further reserves the right to limit the number of bidders invited to make such a presentation or demonstration.
- Allow no additions or changes to the original proposal after the due date specified herein, except as may affect all bidders.
- Award in part, or reject any and all proposals in whole or in part.
- Reject the proposal of any bidder in default of any prior contract or for misrepresentation of experience presented.
- Request information in response to a "Best and Final" proposal of one or more bidders.
- Allow a bidder to remedy in writing any deficiency which is not material.

b. Conditions of Bidding and Instructions

The foregoing proposal is subject to the following conditions and instructions, all interpretations of which shall be at the sole discretion of the FJD:

(i) Preparation of Proposal

- (1) Proposals must be written in ink or typewritten, shall be signed and placed in a sealed envelope or carton. The proposal must be signed by the owner if a sole proprietor; or by a general partner if the bidder is a partnership. If the bidder is a corporation, the proposal must be signed by the president or vice-president, and attested to by the secretary, treasurer or assistant secretary or treasurer, and must bear the corporate seal. A corporate bidder, in the alternative, may execute a proposal other than by the formality set forth above, by signing such proposal by an officer, employee or agent having express authority by reason of a power of attorney identifying such officer or agent by name and title, which power of attorney shall bear the corporate seal and be attached to the proposal.
- (2) Alterations or changes to any part of this proposal will be sufficient reason for rejection.
- (3) No proposal may be considered if not actually received at the designated office at the time specified in the proposal. Timely delivery shall be judged by the date of **actual receipt**.
- (4) To be considered, Bidder must submit a **complete response**. A proposal which is incomplete, obscure, conditional, unbalanced, which contains additions not called for or irregularities of any kind, including alterations or erasures, may be rejected as informal and void the response entirely.
- (5) No proposal shall be withdrawn for **60 days** from the date of the deadline specified for submission of proposals, except as otherwise provided herein. Bidders may be granted permission to withdraw a proposal before opening, withdrawal request be by written notification or by personal request of the bidder and which request must be received by the Issuing Office no later than forty-eight (48) hours before the time fixed for the opening and consideration of proposals.
- (6) No changes in prices, terms and conditions will be considered after the deadline for submission of proposals.

(ii) Acceptance and Rejection of Proposals

- (1) The FJD reserves the right to reject any and/or all proposals, to waive technical defects, and/or to accept or reject any parts of any proposal if, in its judgment, the best interests of the FJD are not thereby served.
- (2) No award will be made to any bidder who, in the opinion of the Issuing Office or designee, is in default of any bid, purchase order, or contract with the FJD or its components, prior to the date of the RFP under consideration.
- (3) All responses accepted by the FJD shall become binding contracts upon the approval of contract as to form and execution by the President Judge of the Philadelphia Court of Common Pleas, or designee.

(iii) Rejection of Proposals

The FJD reserves the right to withdraw or cancel this RFP at its discretion at any time prior to execution of a contract, to reject any or all proposals, or to waive any minor or technical deviations as it may deem fit and proper. The successful Bidder's proposal will become part of the formal contract. All proposals will become the property of the FJD.

- (iv) **Incurring Costs**

The FJD is not liable for any cost incurred by Bidder in the preparation and presentation of their proposal related to this bid process. Total FJD liability is limited to the terms and conditions of a final contract only.
- (v) **RFP Amendments**

The FJD reserves the right to amend the RFP prior to the deadline for proposal submission.
- (vi) **Proposal Amendments and Rules for Withdrawal**

Unless requested by the FJD, no amendments, revisions, or alterations to proposals will be accepted after the proposal due date. After proposal due date, a submitted proposal may be withdrawn upon written request of the Bidder. In such instances, the bid bond, if required, may be forfeited upon the granting of such request. Any submitted proposal shall remain valid for a minimum of 60 days after the proposal due date or until a contract is formally executed, whichever comes first.
- (vii) **Anti-Bribery**

The Bidder's response to this RFP certifies that the Bidder has not been convicted of bribing or attempting to bribe an officer or employee of the FJD.
- (viii) **Offer of Gratuities**

By submission of a proposal, the Bidder certifies that no gratuities of any type were either offered to or received by an elected or appointed official or employee of the FJD or its political subdivisions in connection with this procurement from the Bidder, the Bidder's agents or employees or subcontractors. Any contract arising from this RFP may be terminated by the FJD.
- (ix) **Restrictions on Contact with FJD Personnel**

From the date of release of this RFP until such time as a contract is awarded, all contact with personnel employed by or contracted to the FJD is prohibited except as required by this RFP. Violation of these conditions is cause for the FJD to reject a Bidder's proposal or rescind any contract awarded pursuant to this RFP.
- (x) **Conflict of Interest**

No member of the FJD or any elected or appointed official serving as a member of any committee formed to review or select a bidder shall have more than a nominal financial interest in any bidder or bidders submitting proposals in response to this RFP. All persons serving in the capacity of selection or review and evaluation staff shall sign a disclosure statement indicating any financial relationships, contractual or other professional agreements with Bidders who submit a proposal in response to this RFP.
- (xi) **News Releases**

News releases pertaining to this RFP shall not be made without prior written approval of the FJD and then, only in coordination with the FJD.
- (xii) **Nondiscrimination**

All Bidders must agree to the following terms and conditions in order for a proposal to be considered by the Selection Committee:

 - (1) Respondent shall not discriminate nor permit discrimination against any employee, applicant for employment, independent contractor, or any other person because of race, color, religious creed, ancestry, national origin, age, sex, sexual preference, or disability, in the performance of this contract. Respondent shall comply with all federal, state, and local laws prohibiting discrimination.

- (2) Furthermore, pursuant to federal regulations promulgated under the authority of *The Americans with Disabilities Act*, 28 C.F.R. § 35.101 et seq., Respondent understands and agrees that no individual with a disability shall, on the basis of the disability, be excluded from participation in this procurement or from activities provided for under this procurement. As a condition of accepting and executing any subsequent contract, Respondent agrees to comply with the “*General Prohibitions Against Discrimination*,” 28 C.F.R. § 35.130, and all other regulations promulgated under *Title II of the Americans With Disabilities Act* which are applicable to the benefits, services, programs, and activities provided by the Commonwealth of Pennsylvania, City of Philadelphia, and/or the First Judicial District of Pennsylvania, through contracts with outside contractors.
- (3) Respondent shall take steps to insure that applicants are employed and that employees or agents are treated during employment without regard to their race, color, religious creed, ancestry, national origin, age, sex, sexual preference, or disability in the performance of this procurement. Such nondiscrimination shall include, but is not limited to employment, upgrading, demotion or transfer, recruitment or recruitment advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training.
- (4) Respondent shall, in advertisements or requests for employment placed by it or on its behalf, state that all qualified applicants will receive consideration for employment without regard to race, color, religious creed, ancestry, national origin, age, sex, sexual preference, or disability.
- (5) Respondent shall include the provisions of this nondiscrimination clause in every subcontract pertaining to the performance of this procurement so that such provisions will be binding upon each subcontractor. In the event of a violation of subcontracts, Respondent shall promptly notify Marc Flood, Esquire, Deputy Court Administrator, Procurement, First Judicial District of Pennsylvania, in writing.
- (6) In the event of Respondent's noncompliance with the nondiscrimination clause of a subsequent contract or with any such laws governing nondiscrimination, Respondent shall take all steps necessary to come in to compliance with this nondiscrimination clause. Further, in the event of Respondent's noncompliance with this nondiscrimination clause or with any such laws governing nondiscrimination, any subsequent contract may be terminated or suspended, in whole or in part, whereupon all obligations shall cease, save only the obligation to pay to Respondent the sums due for goods and services already provided prior to the date of termination. In the event of continued refusal by Respondent to comply with this nondiscrimination clause, Respondent may be declared temporarily ineligible for further FJD contracts and other sanctions may be imposed and remedies invoked.
- (7) It shall be no defense to a finding of noncompliance with this nondiscrimination clause that Respondent has delegated some of its employment practices.
- (8) Respondent shall furnish all necessary employment documents and records to, and permit access to its books, records and accounts by the contracting agency for purposes of investigation to ascertain compliance with the provisions of this nondiscrimination clause.
- (9) Respondent's obligations under this clause are limited to the Respondent's facilities within Pennsylvania.

- (10) Respondent shall be responsible for and agrees to indemnify and hold harmless the Commonwealth of Pennsylvania, the City of Philadelphia, and/or the First Judicial District of Pennsylvania, from all losses, damages, expenses, claims, demands, suits, and actions brought by any party against the Commonwealth of Pennsylvania, City of Philadelphia, and/or the First Judicial District of Pennsylvania, as a result of the Respondent's failure to comply with the provisions of non-discrimination clause.
- (xiii) **Surety for Proposals**
If required by the RFP, no proposal will be considered unless accompanied by a bond in favor of and payable to the FJD in a sum and form (such as bank cashier's, treasurer's or depositor's certified check) determined to be appropriate by the FJD. If a surety requirement is imposed, the security of the three (3) most qualified Respondents will be retained until the execution of the contract.
- (xiv) **Penalty for Failure to Execute Contract**
Any Respondent not lawfully released from his or her proposal, who refuses to execute a contract or who refuses to furnish any required bonds and insurance, shall be liable to the FJD in the amount of the check deposited as security for his or her proposal as liquidated damages; or where the damages are readily ascertainable, such Respondent shall be liable for the actual loss or damage sustained because of the failure of the Respondent to enter into such contract.
- (xv) **Disadvantaged Minority, Women and Disabled Owned Business Enterprises (M/W/DSBE)**
Disadvantaged Minority, Women and Disabled Owned Business Enterprises (M/W/DSBE) as defined by the City of Philadelphia's Office of Economic Opportunity (OEO) are encouraged to participate as prime proposers. Prime proposers who are not M/W/DSBEs are encouraged to identify and utilize M/W/DSBEs as subvendors. Respondents are requested to identify the amount of M/W/DSBE participation in this project by listing both dollar amount and percentage of total proposal.
- (xvi) **Qualifications to Do Business**
The Respondent shall, within 5 days after receiving a letter of intent to award a Contract, provide an opinion letter from its legal counsel that the Respondent is qualified to do business in Pennsylvania and is not prohibited by articles of incorporation, bylaws, or the law under which it is incorporated from performing the services required under this Contract. This opinion letter will acknowledge that the FJD is relying on said opinion in awarding and executing the Contract.
- (xvii) **Prohibition on Foreign Corporations**
No contract will be awarded to a Respondent who is a foreign nation corporation or is operating under a fictitious or assumed name, unless the Respondent has compiled or has agreed to comply with the regulations governing proper registration under the laws of the State of Pennsylvania and the FJD.
If the Respondent is incorporated in some state other than the State of Pennsylvania, the Respondent shall provide documentation to establish that the corporation is registered to conduct business in Pennsylvania.
- (xviii) **Rejection of Collusive Bids**
Proposals received from any Respondents who engage in collusive bidding shall be summarily rejected. The terms and conditions of the Bid Anti-Rigging Act, the Act of 1983, October 28, P.L. 176, No 45; 73 P.S. 1611 et. seq. apply.
- (xix) **Negotiation of Contract**
Negotiations may be undertaken with the respondent(s) whose proposals satisfactorily identifies the requisite criteria for this project as stated in this RFP. All contracts shall be subject to standard governmental clauses as prescribed by the FJD. The FJD reserves the right to assign the contract to any person, office or entity as it deems appropriate or as ordered by the Supreme Court of Pennsylvania.
- (xx) **Restrictions on the Use of Former Judiciary Personnel**
By submission of a proposal, the Respondent certifies that no person formerly employed by the

Pennsylvania Judicial Branch on a full time basis within twelve (12) months immediately preceding the date of the release of this RFP had any involvement whatsoever in the preparation of the Respondent's proposal. For purposes of this subsection, a "full time basis" means providing services for a minimum of thirty-five (35) hours per week for a period of twelve (12) consecutive months, at least one (1) month of which fell within the twelve (12) months immediately prior to the date of the release of this RFP.

Furthermore, the Respondent certifies by the submission of the proposal that if the Respondent is awarded the Contract, after Contract execution, if any person described above should come into the employ of the Respondent, such person shall not be assigned to this project at any time during the contract period without prior written consent of the FJD.

Any violations of these certifications may, in the discretion of the FJD, be grounds to reject the proposal or terminate the contract.

(xxi) Public Disclosure

As a general rule, the Court does not disclose any personally or professionally identifiable information collected or obtained through normal Court business practices and/or procedures except where permission has been obtained or where the information is classified as public information under the State of Pennsylvania's Right to Know Act (65 P.S. § 67.101 *et seq.*), Pennsylvania's General Assembly's Act 3 of 2008, or any other applicable laws. Any/all participating Parties should be aware that information collected or obtained by the Court through a solicitation and/or business relationship may be subject to examination and inspection if such information is a public record and not otherwise protected from disclosure. Furthermore, no public agency, official, employee, and/or custodian shall be liable, nor shall a cause of action exist, for any loss or damage based upon the release of a public record if the public agency, official, employee, and/or custodian acted in good faith in attempting to comply with the provisions of said Acts and/or applicable laws.

**FIRST JUDICIAL DISTRICT OF PENNSYLVANIA
COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY
CIVIL MENTAL HEALTH PROGRAM
ELECTRONIC FILING PROGRAM
*Hardware and Software Requirements for
Mental Health Hearing Sites***

HARDWARE

Personal Computers: Each Facility will supply three (3) personal computer and Broadband internet. The computers must have a current Windows operating system, a sufficiently fast processor and memory to access to the Mental Health Electronic Filing System and to digitally record the hearings conducted by the Mental Health Review Officers (MHROs) utilizing court-supplied *fir Gold* or similar software and hardware.

The computers must be connected to a network drive where the digital recordings of the proceedings are maintained until they are transmitted, through an ftp or other method, to the FJD as provided from time to time.

Printer: Each Facility will supply and maintain a copier, printer and scanner, as well as paper, ink or toner for use by the participants. An All-in-One laser copier/scanner/fax will be acceptable. The scanner must be connected to the computer used by the MHRO to allow the scanning of documents introduced at the hearings and made part of the electronic record maintained by the Court.

SOFTWARE

Microsoft Products

At a minimum, Word, Excel, Adobe Reader and Outlook must be supplied. The MHRO must have the ability to send and receive emails to communicate with the Court and other MHROs, the City Solicitor and Defender Association attorneys assigned to the Mental Health Court, as well as Conflict Counsel.

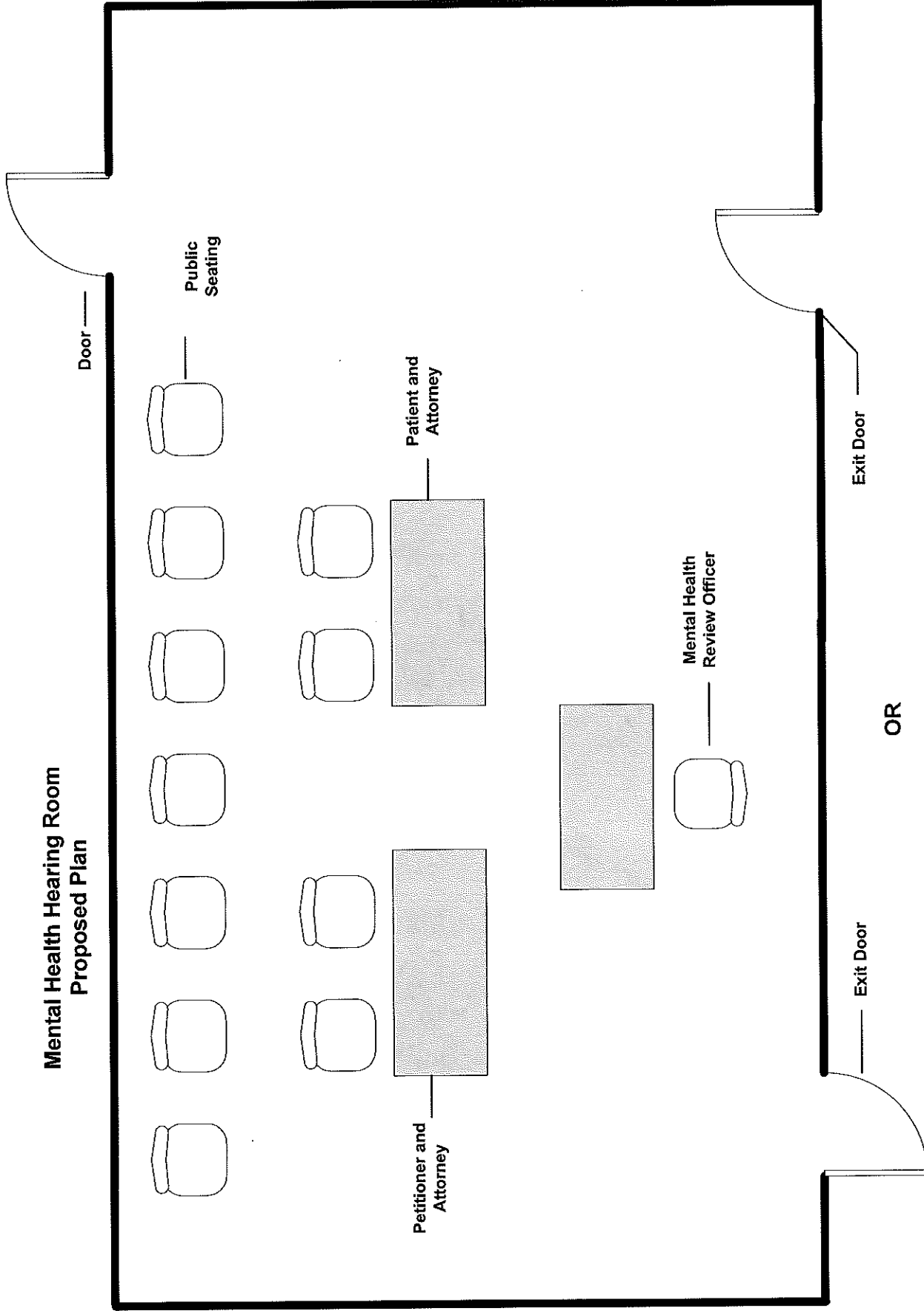
Web Browser: Current version of Internet Explorer, Google and other browsers which will work with the software necessary to connect to the Court's electronic filing system. Cookies and JavaScript must be enabled on the browser.

Exhibit transmissions will be posted via HTTP or HTTPS standards

Network

Fast Broadband connection, and WiFi or other approved back-up, is required for participants. WiFi for guests is recommended.

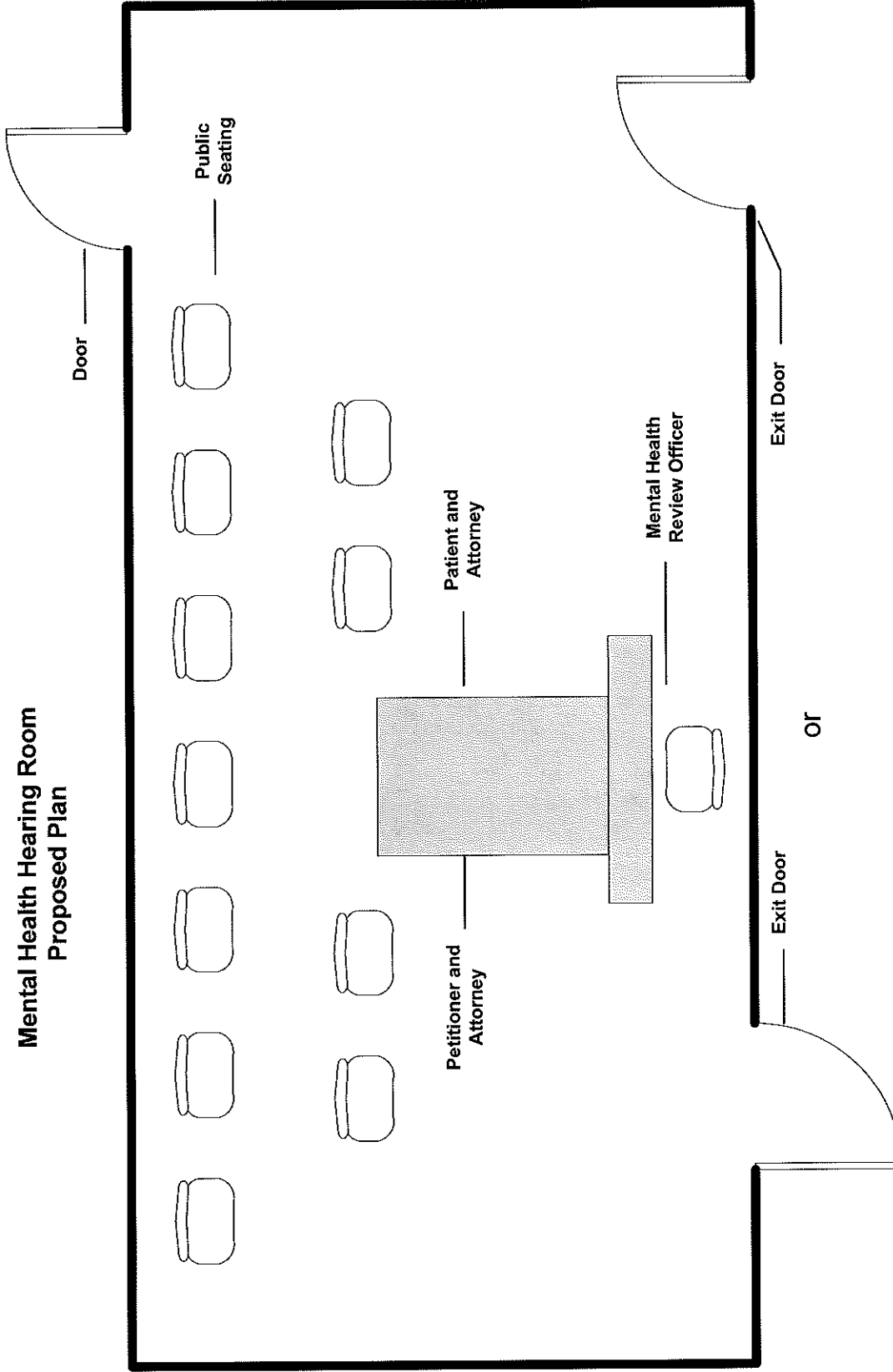
Mental Health Hearing Room Proposed Plan



Minimum Room Dimensions:
16 feet x 20 feet

Attachment 2

Mental Health Hearing Room Proposed Plan



Minimum Room Dimensions:
16 feet x 20 feet

Attachment 3

Attachment 4

FIRST JUDICIAL DISTRICT OF PENNSYLVANIA
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CIVIL MENTAL HEALTH PROGRAM
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