

City of Albuquerque

Request for Letters of Interest

Qualified Professional

A physician, licensed psychologist, prescribing psychologist, certified nurse practitioner or clinical nurse specialist with a specialty in mental health, or a physician assistant with a specialty in mental health.

August 2021

**City of Albuquerque
Department of Family and Community Services
Division of Behavioral Health and Wellness**

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INTRODUCTION

PURPOSE

The City of Albuquerque’s Department of Family and Community Services (“City”) invites qualified professionals (“Offerors”) to submit letters of interest in accordance with the specifications contained in this Request for Letters of Interest (“Request”). Any physician, licensed psychologist, prescribing psychologist, certified nurse practitioner or clinical nurse specialist with a specialty in mental health, or a physician assistant with a specialty in mental health and will be referenced as a Qualified Professional in this request for letters of interest. The purpose of this Request is to establish a pool of qualified professionals available to provide assessment, diagnosis and a proposed treatment plan to clients under a civil court commitment in the Assisted Outpatient Treatment (AOT) Program, as detailed below, in the Second Judicial District consisting of Bernalillo County.

The City will select a qualified professional(s) whose proposals indicate that they meet all of the minimum qualifications and requirements listed herein. All services will be performed in conjunction and in association with the AOT Program.

Selection of an Offeror does not ensure that a contract will be entered into with that Offeror or guarantee the assignment of cases, or assigned work, or the payment of any compensation. The City reserves the right to contract with qualified professionals who have not submitted proposals pursuant to this process should the need arise.

Proposals submitted pursuant to this Request will be accepted by the City on an ongoing basis until further notice in order to maintain a current listing of qualified professionals available to perform services for the Assisted Outpatient Treatment Program. The City will endeavor to review each proposal and respond to the Offeror within thirty (30) days of receipt of the interest letter. If a proposer meets all of the City’s minimum qualification and requirements, it will be added to the pool of qualified professionals available for the assignment of work.

Each Offeror wishing to serve as a qualified professional shall submit a proposal containing the information and organized in the format prescribed herein.

STATEMENT OF WORK

The City was awarded a Grant Number 1H79SM063539-01 from the Substance Abuse and Mental Health Services Administration (“SAMHSA”), an agency with the U.S. Department of Health and Human Services, to implement an Assisted Outpatient Treatment (“AOT”) Program within Bernalillo County. The grant is awarded for the time period of September 30, 2018 through September 29, 2022.

The Assisted Outpatient Treatment grant is for the purpose of establishing a framework for identification and referral of, and the provision of case management to AOT consumers, with the goal of reducing the incidence and duration of psychiatric hospitalization, homelessness, incarcerations, and interactions with the criminal justice system, while improving the consumers’ health and social outcomes. Appendix A provides an overview of the Assisted Outpatient

Treatment Program.

The Offeror will provide psychiatric services as detailed below to clients in a professional and skilled manner in accordance with the relevant portions of the New Mexico Mental Health Code, the Rules of Professional Conduct, applicable laws and rules, and the terms of the contract. The City reserves the right to negotiate additional provisions with a successful Offeror(s).

- A physician, licensed psychologist, prescribing psychologist, certified nurse practitioner or clinical nurse specialist with a specialty in mental health, or a physician assistant with a specialty in mental health
- Assess individuals who meet criteria for AOT to determine whether they are unwilling or unlikely to participate voluntarily in outpatient treatment; and without which the person is unlikely to live safely in the community without court supervision. Assessments can occur in the hospital, a detention facility or in the community.
- Determine if AOT is the least restrictive appropriate alternative; and needed to prevent a relapse or deterioration likely to result in serious harm to self or others.
- Determine if a person is likely to benefit from AOT and that AOT is in the person's best interests.
- Submit an affidavit documenting your clinical recommendation for AOT within 10 days of the individual's examination, along with a written proposed treatment plan. The plan shall state all treatment services recommended for the individual and, for each such service, shall specify a provider that has agreed to provide the service.
- Willing and able to testify at the hearing on the petition either in person or by contemporaneous transmission from a different location.
- Attend AOT Team meetings as scheduled by the Program Manager.

TERM

Proposals are being considered for Fiscal Year 2021 beginning September 15, 2021 through September 29, 2022. Contracts may be subject to extensions not to exceed a total of four (4) years.

REJECTION/CANCELLATION/ACCEPTANCE

The City of Albuquerque reserves the right to reject any or all proposals in whole or in part and to cancel this Request at any time when it is in the City's interests to do so. Discussions may be conducted with Offerors who submit proposals determined to be reasonably susceptible of being selected for the award, but proposals may be accepted without such discussions.

PROPOSAL REVIEW AND THE EVALUATION COMMITTEE

All proposals will be reviewed by the Assigned Program Specialist and Division Manager of Behavioral Health and Wellness for compliance with the mandatory requirements stated within the Request. Letters of Interest deemed non-responsive will be eliminated from further consideration.

GENERAL REQUIREMENTS

1. Acceptance of Conditions Governing Procurement

Submission of a proposal constitutes acceptance of the evaluation criteria.

2. Incurring Costs

Any cost incurred by the Offeror in preparation, transmittal, or presentation of any proposal or material submitted in response to this Request shall be borne solely by the Offeror.

3. Amended Proposals

An Offeror may submit an amended proposal before the deadline for receipt of proposals. Such amended proposals must be complete replacements for a previously submitted proposal and must be clearly identified as such in the transmittal letter. The City will not merge, collate, or assemble proposal materials.

4. Offeror Right to Withdraw Proposal

Offerors will be allowed to withdraw their proposals at any time prior to the deadline for receipt of proposals. The Offeror must submit a written withdrawal request signed by the Offeror's duly authorized representative, and addressed to the assigned Program Specialist, AnaBell Cadena.

5. No Obligation

This procurement in no manner obligates the City or any of its departments or agencies to the service offered until a valid written contract is approved by the City.

6. Terminations

This Request may be canceled at any time and any and all proposals may be rejected in whole or in part when the City determines such action to be in the best interest of the City.

7. Governing Law

This procurement and any resulting agreement with the Offerors shall be governed by and construed and enforced in accordance with the grant documents, laws of the State of New Mexico, and the laws, rules and regulations of the City of Albuquerque.

8. Compensation

- (a) The terms of compensation, including hourly rates and maximum allowable compensation for each case, shall be determined by the City. The total amount of compensation paid by the City for qualified professional services under the terms of this Request shall not exceed the amounts budgeted by the City and appropriated by the City's governing body for that purpose.
- (b) The total amount of compensation paid by the City for any case under this Request shall not exceed the sum of \$100 per hour for direct client contact, submitting affidavit, complete treatment planning, medication prescription and oversight as needed, providing testimony, and attending mandatory AOT meetings. There is a maximum of six hours per client case. Subsequent years may have a change in

maximum compensation per case, dependent on funding.

9. Sufficient Appropriation

Any contract awarded as a result of this Request process may be terminated or modified if sufficient appropriations or authorizations do not exist. Such termination will be affected by sending written notice to the contractor. The City's decision as to whether sufficient appropriations are available will be accepted by the Contractor as final.

10. Health Insurance Portability and Accountability Act

The Contractor will comply with the Health Insurance Portability and Accountability Act (HIPAA), and § 43-1B-14 NMSA 1978, as amended, sequestration and confidentiality of records, to safeguard the confidentiality of participants' medical records. In addition, if applicable, the Contractor must comply with 42 CFR Part 2, requiring confidentiality of substance use disorder patient treatment records.

PART 1 INSTRUCTIONS TO OFFERORS

The following instructions establish the procedures applicable to the preparation of letters of interest and the requirements for the format and content of proposals:

1.1 City Contact: The sole point of contact for this Request for Letters of Interest is the City of Albuquerque's Department of Family and Community Services. Contact the following individual(s) regarding this Request.

AnaBell Cadena, Program Specialist
Phone: (505) 768-2836 or
E-Mail: acadena@cabq.gov

1.2 Contract Management: The contract(s) resulting from responses to this Request will be managed by the Department of Family and Community Services.

1.3 Submission of Offers: The offeror's request of interest packet must include the information outlined in Part 2 of this Request for Letters of Interest and mailed or emailed to:

1.3.1 Mail or email letters of interest to:
Department of Family and Community Services
City of Albuquerque
Attention: AnaBell Cadena – acadena@cabq.gov
PO Box 1293
Albuquerque, New Mexico 87103
E-Mail: acadena@cabq.gov

1.3.2 No other methods of delivery: Neither telephone, hand delivered, facsimile, nor telegraphic offers shall be accepted.

1.3.5 Deadline to Submit Proposals: The Department will continue to accept letters on an ongoing basis until a sufficient pool of qualified professionals are filled.

1.2 Rejection and Waiver: The City reserves the right to reject any or all offers and to waive informalities and minor irregularities in offers received.

1.3 Insurance Compliance: Acceptance of offer is contingent upon Offeror's ability to comply with the insurance requirements as stated herein. Please include a copy(s) of such certification or statement of compliance in your proposal.

1.4 Award of Contract:

1.4.1 When Award Occurs: Award of contract occurs when a Purchase Order is issued or other evidence of acceptance by the City is provided to the Offeror.

1.4.2 Award: Contract(s) shall be awarded to the responsive and responsible Offeror(s) whose offer(s) conform to the Request for Letters of Interest, and will be the most advantageous to the City as services are needed.

1.4.3 Contract Term: The contract term shall be for periods in conjunction with the Federal fiscal year. The contract term may be extended upon mutual written agreement between the City and the Contractor.

1.5 Negotiations: At the time of entering into a contract with a selected Offeror, the City may negotiate an alternative billing method or rates which do not exceed those proposed by the Offeror.

1.6 INSURANCE:

1.6.1 General Conditions: The City will require that the successful Offeror, referred to as the Contractor, procure and maintain at its expense during the term of the contract resulting from the Request, insurance in the kinds and amounts hereinafter provided, with insurance companies authorized to do business in the State of New Mexico, covering all operations of the Contractor under the contract. Upon execution of the contract and on the renewal of all coverage, the Contractor shall furnish to the City a certificate or certificates in form satisfactory to the City showing that it has complied with these insurance requirements. All certificates of insurance shall provide that thirty (30) days written notice be given to the Risk Manager, Department of Finance and Administrative Services, City of Albuquerque, P.O. Box 470, Albuquerque, New Mexico, 87103, before a policy is cancelled, materially changed, or not renewed. Various types of required insurance may be written in one or more policies. With respect to all coverages required other than professional liability or workers' compensation, the City shall be named an additional insured. Along with the certificate of insurance, a rider or endorsement designating the City as an additional insured will be required. All coverages afforded shall be primary with respect to operations provided.

1.7. Coverages Required: The kinds and amounts of insurance required are as follows:

1.7.1 Commercial General Liability Insurance. A commercial general liability insurance policy with combined limits of liability for bodily injury or property damage as follows:

\$2,000,000 Per Occurrence
\$1,000,000 Policy Aggregate
\$1,000,000 Products Liability/Completed Operations
\$1,000,000 Personal and Advertising Injury
\$ 50,000 Fire - Legal
\$ 5,000 Medical Payments

Said policy of insurance must include coverage for all operations performed for the City by the Contractor and contractual liability coverage shall specifically insure the hold harmless provisions of this Agreement.

1.7.2 Automobile Liability Insurance. An automobile liability policy with liability limits in amounts not less than \$1,000,000 combined single limit of liability for bodily injury, including death, and property damage in any one occurrence. Said policy of insurance must include coverage for the use of all owned, non-owned, hired automobiles, vehicles and other equipment both on and off work.

1.7.3 Professional Liability Insurance/Medical Malpractice. Professional liability insurance in an amount not less than \$1,000,000.00 per claim and in the aggregate.

1.7.4 Workers' Compensation Insurance. Workers' compensation insurance policy for the Contractor's employees, in accordance with the provisions of the Workers' Compensation Act of the State of New Mexico, (the "Act"). If the Contractor employs fewer than three employees and has determined that it is not subject to the Act, it will certify, in a signed statement, that it is not subject to the Act. The Contractor will notify the City and comply with the Act should it employ three or more persons during the term of the contract resulting from this Request.

1.7.5 Increased Limits: During the term of the contract the City may require the Contractor to increase the maximum limits of any insurance required herein. In the event that the Contractor is so required to increase the limits of such insurance, an appropriate adjustment in the contract amount will be made.

1.8 DUNS Number. All Proposals shall include a Dun and Bradstreet Number which can be applied for at <https://www.dnb.com/duns-number.html>.

**PART 2
REQUEST FOR LETTER OF INTEREST FORMAT**

2.1 Technical INTEREST LETTER Format

2.1.1 Offeror Identification Letter: State name and address of the Offeror or your organization, or office and nature of organization (individual, partnership or corporation, private or public, profit or non-profit). Include name and telephone number of person(s) in your organization authorized to execute the Agreement.

2.1.2 Offerors Resume: List education, and a list of licenses or certifications and the number of years of practice in the area of clinical behavior and mental health.

Should contain the following information:

- (a) Name;
- (b) A summary of the educational background, current practice, special training, and awards;
- (c) Current and past experience working with clients with mental illness, and/or related prescribing experience
- (d) A summary of the qualified professional's experience working with community social service or mental health agencies;
- (e) The qualified professional's ability to meet with clients in various facilities, including the ability to meet within twenty-four hours of accepting a case assignment;
- (f) The qualified professional's availability on short notice for hearings; and
- (g) The qualified professional's ability to work collaboratively.

2.1.3 Offerer Copies of License/s

2.1.4 Offerer Letter of Reference: Provide 2 professional letters of reference.

2.1.5 Contractor Requirements: Provide statements indicating that the Offeror specifically agrees, or takes exception to, the Contractor Requirements set out below.

2.1.6 Conflicts of Interest: Disclose existing or potential conflicts of interest with the City, including but not limited to all matters handled by the Offeror involving claims against the City, representation of third parties against the City and the pursuit of administrative remedies through the City.

2.1.7 Insurance Certificate(s): Please include a copy(s) of certificate(s) of insurance for coverage which the Offeror currently has in effect or a letter of assurance indicating statement of compliance with insurance requirements at the time of contracting.

PART 3

MINIMUM QUALIFICATIONS AND REQUIREMENTS

3.1 Minimum Qualifications.

3.1.1 Qualified Professional must be licensed to practice as a physician, licensed psychologist, prescribing psychologist, certified nurse practitioner or clinical nurse specialist with a specialty in mental health, or a physician assistant with a specialty in mental health in the State of New Mexico.

3.1.2 Qualified Professional must have prior experience in any area of behavior and mental health.

3.2 Contractor Requirements.

3.2.1 Qualified Professionals must agree to bill the City in at hourly rates of \$100.00/hour, inclusive of gross receipts tax. The hourly rates submitted, which are the maximum rates which may be charged to the City, may remain fixed for a four-year period following the receipt of the Letter of Interest in response to this solicitation.

3.2.2 Qualified Professionals must agree that billings for costs will include gross receipts taxes or outside costs for which such taxes have already been paid.

3.2.3 Qualified Professionals must agree to comply with all laws, ordinances, rules and regulations, resolutions, policies, etc, in effect during the term of any contract with the City.

3.2.4 Qualified Professionals must be located in the Greater Albuquerque Metropolitan area, or agree not to bill the City for travel time between its office and Albuquerque, without prior approval.

3.2.5 Qualified Professionals must have or agree to provide at the time of assignment of a case or project, adequate insurance to cover the City's exposure under the New Mexico Tort Claims Act considering the risk involved. The type of insurance and liability limits will be negotiated at the time of assignment. In all instances, medical malpractice/professional liability coverage and compliance with the workers' compensation act, must be provided. Commercial general liability and auto liability coverage may also be required.

3.2.6 Qualified Professional must agree to individual set out in the proposal submitted shall provide services to the City, unless the City approves in writing its request for a change in personnel.

3.2.7 Qualified Professional must agree to the following procedural guidelines:

- (a) no billing of administrative guidance and coordination of nurses and supplemental staff.
- (b) identifying a contact person to handle billing questions and problems;
- (c) monthly or quarterly billing which identifies the billing party, the service provided and the billing rate of \$100.00/hour;
- (d) obtaining prior approval from the assigned Program Specialist for other extraordinary costs and expenses.
- (e) Attend program implementation meetings and monthly AOT meetings.

APPENDIX A

Overview of the Assisted Outpatient Treatment Program

Assisted outpatient treatment (AOT) is a civil court ordered program of delivering community-based treatment to adults with serious mental illness who are found by a judge, in consideration of prior incarcerations or hospitalizations, to be unlikely to adhere to prescribed treatment on a voluntary basis. It is a 2-way commitment that requires treatment providers to serve individuals at the same time it commits individuals to adhere to their treatment plans. Through the ritual of court hearings and the symbolic weight of a judge's order, AOT seeks to leverage a "black robe effect," motivating the individual to regard treatment adherence as a legal obligation.

Funded by a four-year grant with the Substance and Mental Health Services Administration (SAMHSA), the City of Albuquerque's AOT Program will serve a maximum of 60 individuals in the first year. Referrals for this program will primarily be from inpatient hospital facilities (Petitioner), such as the University of New Mexico's Psychiatric Center and Kaseman Hospital. This program provides psychiatric and intensive comprehensive case management services, as well as monthly sessions with a judge to individuals with serious mental illness (Respondents) ordered for treatment by the Second Judicial District Court. The AOT case manager monitors the participant's progress and compliance with the treatment plan in accordance with the court order. The AOT case manager reports to the court on the client's condition and attends all court staffing and hearings.

AOT provides a less restrictive opportunity to ensure individuals do not suffer a break in their continuity of care, thereby reducing the incidence and duration of psychiatric hospitalization, homelessness, incarcerations, and interactions with law enforcement and the criminal justice

system, while improving the health and social outcomes of individuals living with a serious mental illness.

Criteria: § 43-1B-3 NMSA

AOT is “intended to benefit severely mentally ill [adults] who need ongoing psychiatric care to prevent relapse, rehospitalization, and/or dangerous behavior, and who have difficulty following through with community-based treatment.” (Swartz et al. 2001). In most cases, these individuals suffer from schizophrenia, bipolar disorder, major depression with psychotic features, or schizoaffective disorder. Candidates for AOT have also been noncompliant with prescribed medication, have multiple inpatient psychiatric hospitalizations, and/or incarcerations. Court-ordered treatment provides this small group of individuals the opportunity to engage in treatment they might otherwise be unable to access.

A Respondent may be ordered to participate in assisted outpatient treatment if the court finds by clear and convincing evidence that the person:

1. Is eighteen years of age or older and resides in Bernalillo County;
2. Has a serious mental illness;
3. Has a history of treatment non-adherence that has either:
 - Been a significant factor in their hospitalization and/or incarceration at least twice in the last 4 years; OR
 - Resulted in one or more acts, attempts or threats of serious and violent behavior toward self or another in the last 4 years; OR
 - Resulted in incarceration or hospitalization for 6 months or more and the person is to be discharged within the next 30 days or was recently discharged within the past 60 days;
4. Is unwilling or unlikely, as a result of a mental illness, to participate voluntarily in outpatient treatment that would enable the person to live safely in the community;
5. Is in need of AOT as the least restrictive appropriate alternative to prevent a relapse or deterioration likely to result in serious harm to self or others; AND
6. Will likely benefit from AOT and it is in their best interest.

The Treatment Plan: § 43-1B-7 NMSA

In the assisted outpatient treatment order, the court shall specify the services that the person is to receive. The court shall not require any treatment that is not included in the proposed treatment plan submitted by the examining licensed mental health treatment provider.

Types of AOT Treatment Services:

- Medication management
- Individual or group therapy
- Day or partial day programming activities
- Educational and vocational training activities
- Alcohol and substance abuse treatment and counseling

- Supervision of living arrangements
- Periodic blood or urine tests to determine compliance with medication and/or to screen for illegal drugs and alcohol
- Any other service prescribed to treat a patient's mental illness and to assist the patient in living and functioning in the community, or to attempt to prevent deterioration