



# Texas Juvenile Probation Commission

## Private Service Provider Selection, Contract and Monitoring Process

### CHECKLIST FOR RESIDENTIAL SERVICES

- I. Pre-Contract Selection Process
- II. Contract Development & Execution
- III. Contract Monitoring
- IV. Final Contract Evaluation

#### PHASE I. PRE-CONTRACT SELECTION PROCESS

*This process should begin 1-2 months prior to execution of formal contracts with service providers, if possible.*

##### For All Service Providers:

- Selection of service provider performed in accordance with county procurement policies, procedures and applicable law [see Texas Local Government Code Chapter 262].
- Check required licensing or registration credentials of treatment/residential placement facility and maintain documentation in monitoring/contract file. The following websites may be used:  
[www.tdprs.state.tx.us](http://www.tdprs.state.tx.us)  
[www.tcada.state.tx.us](http://www.tcada.state.tx.us) or [www.dshs.state.tx.us](http://www.dshs.state.tx.us)  
[www.dfps.state.tx.us/Child\\_Care/Search\\_Texas\\_Child\\_Care/](http://www.dfps.state.tx.us/Child_Care/Search_Texas_Child_Care/)
- For secure Texas juvenile justice facilities, request and review local juvenile board certification of facility, if applicable. Maintain documentation in monitoring/contract file.
- For secure Texas juvenile justice facilities, review facility registration on TJPC website. Check for current registration for facility and any applicable information related to services provided. Maintain documentation in monitoring/contract file.  
[www.tjpc.state.tx.us](http://www.tjpc.state.tx.us)
- Request and review any recent monitoring or inspection reports from oversight agencies (e.g., TJPC, TDFPS, TCADA, etc.). Conduct follow-up discussions with service provider regarding noncompliances and status of corrective action plans, and any other pertinent issues. Maintain documentation in monitoring/contract file. *[Note: TJPC website will soon have COMETS monitoring information available for facilities that accept juvenile placements from counties outside their county of operation.]*
- Request child abuse, neglect and exploitation investigations aggregate numbers applicable to facility from oversight agency (e.g., TJPC for secure juvenile facilities, TDFPS for non-secure facilities if licensed by TDFPS.). Maintain documentation in monitoring/contract file.
- Conduct follow-up discussions with service provider regarding any abuse, neglect or exploitation allegations and investigation results. Maintain documentation in monitoring/contract file.
- Inquire whether any civil or criminal litigation is pending or contemplated related to the facility operations or staff. Maintain documentation in monitoring/contract file.
- Inquire whether any investigations have occurred or are contemplated related to the facility operations or staff by the United States Department of Justice, FBI, or any external law enforcement agency or advocacy group (e.g., Advocacy, Inc.). Maintain documentation in monitoring/contract file.

- Check licensing credentials of any licensed professionals (e.g., therapists, counselors, etc.) employed by facility who will be providing services to youth, if known. The following website contains links to sites for all licensed professionals in Texas.

<http://www.texasonline.state.tx.us/>

- Other (Specify) \_\_\_\_\_  
\_\_\_\_\_

**For Previously Used Service Providers:**

- Perform analysis of service provider’s prior performance and maintain documentation in monitoring/contract file. This analysis should include, at a minimum, the following:
  - Review of service provider’s strengths and weaknesses in most recent contract performance.
  - Review of performance data related to service provider’s past performance, including any sanctions or penalties imposed in past contract periods.
- Personal visit and tour of facility conducted and documented. [It is recommended that a personal on-site visit and tour of the facility be conducted at least annually prior to execution of any contract]. Maintain documentation in monitoring/contract file.
- Other (Specify) \_\_\_\_\_  
\_\_\_\_\_

**For New Service Providers:**

- Research service provider’s offered services, results, etc. Review literature, brochures, websites, etc. Maintain documentation in monitoring/contract file.
- Personal visit and tour of facility conducted and documented. [It is highly recommended that a personal on-site visit and tour of the facility be conducted prior to negotiation and execution of any contract]. Maintain documentation in monitoring/contract file.
- Reference checks of facility conducted. Talk to peers who have place a juvenile in the facility. Maintain documentation in monitoring/contract file.
- Other (Specify) \_\_\_\_\_  
\_\_\_\_\_

**PHASE II. CONTRACT DEVELOPMENT AND EXECUTION**

*This process should begin at least 30 days prior to execution of formal contracts with service providers, if possible. All contracts should be thoroughly reviewed by an attorney for legal sufficiency prior to execution.*

- Written contract drafted containing the following **mandatory** components:
  - Clearly defined goals, outputs and measurable outcomes for contract period, including:
    - Substitute Care Provider Outcome Standards and required treatment plans
    - Child specific requirements [this may be done in main contract or in contract amendments/addendums.
    - Required progress or other periodic reports and applicable timelines.
  - Certification of eligibility to receive state funds.
  - Requirement of adherence to all applicable state and federal law and regulations.
  - Separate accounting for receipt and expenditure of state funds.
  - Clearly specified accounting, reporting and auditing requirements.
  - Records retention requirements.
  - Specific, clearly defined and appropriate sanctions or penalties for noncompliance with contract provisions.
  - Termination provisions.
- Written contract drafted containing the following **recommended** components:
  - Certification of "Vendor in good standing" with Texas Comptroller of Public Accounts (i.e., vendor not placed on "vendor hold"), if applicable.
 

Website: <http://ecpa.cpa.state.tx.us/vendor/tpsearch1.html>
  - Venue provision for necessary litigation.
  - Financial and programmatic monitoring requirements.
  - Requirement of routine progress reports for juveniles placed in facility.
  - Requirement to notify regarding any child abuse, neglect or exploitation investigations during contract period.
  - Requirement to notify regarding any external investigations related to facility or staff initiated during contract period.
- Contract reviewed and approved by legal counsel prior to execution.
- Contract executed by all parties and appropriate number of copies disseminated and retained.
- Other (Specify) \_\_\_\_\_

**PHASE III. CONTRACT MONITORING**

*This process should be conducted throughout the contract period on a regular basis and no less than semi-annually.*

**CJPO, Probation Officer or Case Manager, etc. – Programmatic Monitoring**

- Review of juvenile’s progress toward case plan/treatment goals documented [e.g., review of progress reports, treatment plan conferences, etc.] This documentation can be chronological notes in CASEWORKER or other types of written documentation with applicable dates.
- Participation in service plan and any applicable review; participation in case/treatment plans and any applicable review, etc.
- Review timeliness and quality of periodic reports received from facility regarding juvenile.
- Periodic contact with juvenile during placement documented [e.g., phone call, personal visits, written correspondence, email, etc.]
- On-site visits to facility conducted and documented [At least one on-site visit during each placement is recommended, at a minimum.]
- Periodic contact with juvenile’s case manager at facility documented.
- Periodic contact with juvenile’s parent regarding juvenile’s progress documented, if appropriate.
- Other (Specify) \_\_\_\_\_

**CJPO, Placement Coordinator, or Accounts Payable Personnel – Financial Monitoring**

- Periodic review for accuracy of billing documentation received from service provider documented [e.g., weekly, monthly, etc.] Any discrepancies noted and all corrective actions documented.
- Performance of any necessary audits or monitoring of funds expended with service provider.
- Other (Specify) \_\_\_\_\_

**Application of Sanctions or Penalties, if applicable:**

- Periodic assessment of need for penalties, sanctions, etc. [Periodic staffing and review related to facility performance and juveniles’ progress is recommended to assess performance of service provider].
- Application of appropriate and necessary sanctions or penalties. Maintain documentation in monitoring/contract file.
- Termination of contract for cause if necessary. Maintain documentation in monitoring/contract file.
- Other (Specify) \_\_\_\_\_

**PHASE IV. FINAL CONTRACT EVALUATION**

*This process should be completed as soon as possible after the end of the contract period.*

- Rating of Overall Performance in all areas documented [Recommend using the Commission's Service Provider Monitoring and Evaluation Report or comparable instrument]. Maintain documentation in monitoring/contract file.
- Determination of eligibility for future contracts assessed. Maintain documentation in monitoring/contract file.