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Formula and Procedures for the Application, Review and Award or Denial of Requests for Funds, and Providing for the Waiver or Amendment of Such Formula

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**Formula and Procedures for the Application, Review and Award or
Denial of Requests for Funds, and Providing for the Waiver or
Amendment of Such Formula**

Sec. 18-101k-1. Definitions

- (a) "Department" means the department of correction.
- (b) "Commissioner" means the commissioner of correction.
- (c) "Residential programs" means those offered in "halfway houses", providing twenty-four hour care, supervision, and supportive services to inmates who are supervised in the community. Residential program services are those provided by private, non-profit community or locally based organizations or units of local government.
- (d) "Nonresidential programs" means those programs providing daytime or episodic community correction services to inmates who are supervised in the community and their families, or victims of crime. Nonresidential program services are those provided by private non-profit community or locally based organizations or units of local government.
- (e) "Volunteer programs" means those programs offering services provided by unpaid volunteers under the auspices of private, nonprofit community or locally based organizations or units of local government.
- (f) "Service areas" means the five community correction geographic areas in the state corresponding to the health systems agency regions established pursuant to the National Health Planning Resources and Development Act, Public Law 93-641.
- (g) "Comprehensive State Community Correction Plan" means that document issued annually by the commissioner pursuant to Sec. 18-101i which describes in detail the department's plans in community corrections.
- (h) "Private Sector Match" means in kind funds and/or services provided by the community based service providers as required by the department in its contractual agreements.
- (i) "Client Population Ratio" means the number of correctional clients returning to a particular service area compared to the total number released in need of service. Client population ratios for all service areas are specified as necessary in the comprehensive state community correction plan and are employed by the department as necessary along with other criteria to establish the levels of services needed in each service area.
- (j) "Nonclient Criteria" means those service requirements for community programs which are not directly client related including administrative functions, fiscal accountability, cost efficiency and economy, public information and education, capacity for community organization, resource development and coordination with other programs and such other services and activities as specified by the department.
- (k) "Residential Facility Criteria" means service requirements for residential facilities to include 24-hour supervision, counseling, pre-release services, crisis intervention, employment and job development, housing assistance, public education, child care, transportation and such other activities and services as specified by the department.
- (l) "Nonresidential Facility Criteria" means service requirements for community correctional programs to include counseling, substance abuse, mental health, pre-release services, crisis intervention, employment and job development, housing assistance, public education, child care, transportation, volunteer and such other activities and services as specified by the department.

(Effective December 1, 1981; amended July 28, 1997)

Sec. 18-101k-2. Service area proposals

(a) Based on the comprehensive state community correction plan and/or the criteria set forth in 18-101k-1 to 18-101k-5, inclusive, as well as any additional criteria as it determines appropriate, the department shall solicit as necessary annual requests for proposals from individual service providers in each of the service areas. Such requests for proposals shall specify the department's service requirements consistent with the following, if applicable: private sector match, estimates of service requirements on the basis of client population ratio, Nonclient criteria, residential facility criteria and nonresidential facility criteria and shall require the respondent to specify the level, types and projected cost of services offered, consistent with the department's requirements. Requests for proposals shall be forwarded to residential programs, nonresidential programs, or volunteer programs, according to the department's service requirements. The department may submit requests for proposals to non-contracted as well as contracted service providers.

(b) Proposals submitted by community based service providers for each service area shall be evaluated according to the requirements specified by the department. The department shall consider the cost of these proposals in determining the preliminary funding levels in each service area. Final funding allocations for each service area shall be determined on the basis of final contract negotiations with individual service providers. The department shall consider proposals submitted by non-contracted as well as contracted service providers.

(Effective December 1, 1981; amended July 28, 1997)

Sec. 18-101k-3. Schedule

The department shall annually notify service providers currently under contract of the time schedule for the issuance of requests for proposals and the negotiation of contracts.

(Effective December 1, 1981)

Sec. 18-101k-4. Individual contract awards: Formula and procedures

(a) Within each service area individual contract awards and funding levels shall be determined on the basis of the following:

(1) Compliance with the requirements specified in requests for proposals as set forth in Sec. 18-101k-2 as well as any other terms and conditions set by the department.

(2) Past performance, including review of fiscal, management and program activities of any agency or organization, if applicable.

(3) Cost formula, as follows:

(A) The department shall pay each contractor an amount not to exceed the contractor's full cost for services provided to the department. Full cost shall be determined by the department on the basis of budget documentation submitted by the contractor to the department as necessary and shall be equal to the minimum amount required to meet the contractor's total expenses of providing and maintaining services.

(B) The department shall pay less than full cost under the following circumstances:

1. Private sector match is required by the department.
2. A portion of the services required by the department are available at no cost through other funding sources or entitlements.
3. The services sought by the department are partially funded by other governmental or non-governmental sources with mandates to serve correctional clients.
4. The contractor agrees to provide services at less than full cost.

(C) The department shall consider the variation of service costs as the result of:

1. Differences between rural and urban service areas.
2. Differences among service providers regarding methods of delivering client, nonclient, and other services.
3. Variation as the result of types and levels of services provided.

(b) Procedures for negotiation, review and approval or denial of requests for funds.

(1) In the negotiation of contract awards, the department shall:

(A) Make available to all its contractors an annual standards and performance audit and evaluation.

(B) Hold an informal program review conference with individual contractors if requested by the contractor. The purpose of such a conference shall be to allow the contractor to submit data, views, or arguments as to the contractor's past performance or its proposed contract.

(2) The department shall require each contractor as necessary to submit to the department an acceptable work plan specifying levels, types and methods of services to be provided as well as other terms and conditions set by the department.

(3) The department may deny requests for funds on the basis of failure to meet any of the criteria set forth in Sections 18-101k-1 to 18-101k-5, inclusive, the lack of available funds, or the availability of more qualified or less costly service providers.

(Effective December 1, 1981; amended July 28, 1997)

Sec. 18-101k-5. Waiver and amendment procedures

In accordance with subsection (c) of Section 18-101k of the General Statutes, the formula developed under Sections 18-101k-1 to 18-101k-5, inclusive, may be amended or waived by the department when, after due consideration, it finds that services in a service area are not needed or that a service area fails to have existing private, nonprofit organizations or units of local government to carry out the purposes of the community correction program of the department.

(Effective December 1, 1981)