

State of Connecticut
Department of Correction

Sexual Harassment Training

Request for Proposal
RFP # DOC05RJ

The Connecticut Department of Correction is soliciting proposals for Staff Training on Sexual Harassment issues, pursuant to a Stipulated Agreement entered into in April of 2003.

Funding

Funding levels for this project have not been established. Funding will be made from State General Funds. The Department anticipates the awarding of a contract with a four-year time frame. The project is anticipated to start on January 1, 2005. Any contract resulting from this Request for Proposal will include language specifying the conditions under which the State may terminate such contract. The State may terminate any contract, with proper notice, for reasons including, but not limited to, unsatisfactory performance.

Eligibility

Proposals will be accepted from public and private organizations, community based agencies and individuals. Experience in Sexual Harassment training, specific to correctional, law enforcement or military environments is required.

Closing Date(s)

In order to participate in the proposal process, all interested parties must submit a Letter of Intent to Bid. Letters of intent must be received at the address listed below by 3:00 p.m. on October 18, 2004.

An original and five copies of the completed proposals must be received at the address listed below, no later than 3:00 p.m. on November 5, 2004. Fax and email submissions will not be accepted.

Place Due

Connecticut Department of Correction
Grants and Contracts Section
24 Wolcott Hill Road
Wethersfield, CT 06109-1152

Attention: Joel R. Ide, Grants and Contracts Manager

Further Information

To insure an equitable process, all questions regarding the preparation of proposals in response to this RFP must be submitted in writing by October 22, 2004, to the Department, at the address listed above, emailed to JoelR.Ide@po.state.ct.us, or they may be faxed to (860) 692-7772. All questions will be answered in writing, with a copy of all questions and responses provided to all proposers who have submitted a Letter of Intent to Bid.

I. Statement of Purpose

The Department of Correction and various parties, including the Office of the Attorney General and the Permanent Commission on the Status of Women entered into a Stipulated Agreement in April of 2003 concerning sexual harassment claims against the Department. The parties to this agreement have committed to provide specific training to Department staff concerning sexual harassment. The purpose of this Request for Proposal, therefore, is to seek qualified organizations or individuals to provide such training.

The Stipulated Agreement may be accessed on the Department of Correction web site at www.ct.gov/doc and at the web site of the Department of Administrative Services, www.das.state.ct.us.

II. Background

The Department of Correction, in order to settle claims made against it and to work towards the elimination of sexual harassment whether actual or perceived, has entered into the referenced Stipulated Agreement. That agreement is the culmination of negotiations between all parties. Section VIII of the agreement calls for a concerted effort on the part of the Department to provide additional and specific training to all Department staff concerning sexual harassment in the workplace.

III. Proposal Content Requirements

Proposals must be submitted on the DOC Proposal Forms included in Attachment A. All requirements of this RFP must be met. Content requirements not specifically addressed by the Proposal Forms must be submitted in narrative form with numbered pages.

A. Proposer Information

The proposal must contain the official name, address and phone number of the proposer, the principal contact person for the proposal, and the name and signature of the person authorized to execute the contract.

B. Contractor Information

In order for the Department to communicate effectively with the contractor, it is necessary to have accurate information about contractor staff who are responsible for certain functions.

Please provide the name, title, address, telephone and FAX number of staff persons responsible for the completion and submittal of each of the following documents:

1. Contract and legal documents/forms
2. Program progress reports
3. Financial expenditure reports

Accurate information is needed by the Department concerning the proposer's legal status.

Please indicate whether or not the agency is incorporated, the type of agency submitting proposal, the agency's federal employer ID number and if the proposer agency is registered as a Connecticut Minority Business Enterprise and/or Women Business Enterprise.

Bidder must provide a list of all state agencies or commissions for which they have provided sexual harassment training services, including contact information for each such agency or commission. This information must be provided for all such services provided for the past 5 years.

Bidder must provide information concerning any contract/employment termination involving sexual harassment, diversity or related training issues. Include all pertinent facts surrounding such termination.

C. Services to be Provided

The Department of Correction and the plaintiffs in two lawsuits entitled Orr et al. v State of Connecticut, Department of Correction, et al. and Allen, et al. v Armstrong, et al. entered into a Stipulated Agreement, which as amended,

requires that: "...all Department supervisors and other staff and any persons who have the responsibility to conduct future sexual harassment and retaliation training sessions at the Department of Correction shall receive meaningful, mandatory and periodic anti-discrimination sexual harassment and anti-retaliation training." That agreement further provides that "[t]he Department of Correction shall, with the advice and consent of the Permanent Commission on the Status of Women (PCSW), contract the services of an expert sexual harassment training provider to assist the Department with developing..., evaluating, and monitoring sexual harassment training with the Department's Center for Training and Staff Development (CTSD)...The provider shall: assist with the development of lesson plans; conduct train-the-trainer courses for Department staff; assist with development of curriculum for specialized courses, including specialized courses for supervisors related to sexual harassment prevention; and monitor and audit classes conducted by Department staff to ensure continuous quality and integrity." Accordingly, the Department of Correction is seeking a qualified vendor to provide such services.

In the January-June 2004 training sequence the DOC conducted training for all supervisors and other employees concerning 1) the content of Administrative Directive 2.2., 2) definitions of sexual harassment and retaliation 3) the process for reporting violations 4) responsibilities of supervisors.

The next training program will consist of in-depth training concerning the causes and effects of sexual harassment, a deeper understanding of the issues of retaliation against those who oppose sexual harassment, and the impact of sexual harassment and retaliation on workers and on the work environment.

THE VENDOR WILL PERFORM THE FOLLOWING TASKS:

1. Review the materials and content of the 2004 training sessions.
2. Assist with the development of curriculum that builds on the prior training and enhances attendees' understanding of the roots of sexual harassment, gender differences in perceiving conduct of various kinds, and the nature and need to stop retaliation against those who complain or oppose conduct that violates Administrative Directive 2.2.
3. Assist the Department of Correction training staff in preparing lesson plans for one-hour training sessions for the entire workforce, one-hour specific training for supervisors, and three-hour training sessions for new hires and those previous hires that did not receive the prior training.
4. The curriculum for supervisors shall reinforce the special responsibilities of supervisors to maintain a work place free of sexual harassment and retaliation, and to respond appropriately to violations of A.D. 2.2.
5. Assist the DOC in selecting trainers and conduct thirty-two (32) hours of train-the-trainer sessions for approximately 40 DOC trainers, familiarizing them with the lesson plans, training techniques, and appropriate behavior in training sessions.
6. Participate in eleven three-hour sessions per year for new hires and those previous hires that have not attended the previous training.
7. Assist in teaching approximately four (4) one-hour sessions for supervisory staff.
8. Audit the training, attending at least 25% of the sessions in the first year and 10% of the sessions in subsequent years to ensure quality and integrity of the training and to improve the trainers' performance. The vendor shall meet with the DOC Training Director and Director of Equal Opportunity Assurance monthly to review the results of the audit and shall report any problems to the Directors immediately, and shall also meet with the Sexual Harassment Consultant at least quarterly. The vendor shall assist the DOC training staff in adjusting lesson plans as needed. When requested, the Vendor shall also attend meetings of the Sexual Harassment Working Group to provide information.
9. Prepare all written materials needed for each training session and all train-the-trainers materials.
10. Prepare and submit a report every six (6) months and at the end of the contract term identifying the tasks performed and goals set and assessing the results obtained. The exact content of those assessment reports will be negotiated in the contract development stage with the selected vendor.

D. Budget

The proposal must identify total costs for services. A detailed line item budget is not required. Provide information for 6 months of the current fiscal year and information on an annualized basis.

The State of Connecticut is exempt from the payment of excise, transportation and sales taxes imposed by the Federal and/or state government. Such taxes must not be included in contract prices.

The maximum bid amount may not be increased after the proposal is submitted. Cost estimates will be considered "not to exceed" quotations against which time and expenses will be charged.

The proposed budget is subject to change during the contract award negotiations.

Any contract resulting from this request for proposals will include language giving the Department the right to approve all subcontracts.

Any contract resulting from this request for proposals may include a requirement that contractor sign and notarize an affidavit which identifies gifts given to certain state employees.

Payment schedule will be determined through the contract negotiation process.

E. Workplan

A comprehensive and realistic workplan with measurable objectives describing tasks to be performed, deliverables and timelines, including a project start date, must be provided. The workplan must be consistent with the RFP and the project's goals and objectives. **The proposed project start date will be considered as review criteria for this RFP.**

F. Staffing

The proposal must describe the staff assigned to this project, including the extent to which they have the appropriate training and experience to perform assigned duties. Job descriptions, hours per week and hourly rates must be provided for all staff assigned to this project.

The proposal must include clear language on the qualifications sought in all staff members who will work on this project. The proposal must also include criteria to be used to prohibit work on this project.

G. Contract Compliance

The proposal must include a completed Notification to Bidders form and a Workforce Analysis Questionnaire. In addition, the proposals must include a statement of adherence to Assurances described in this RFP.

IV. Proposal Procedures

Proposers must complete their proposal using the following procedures and must be received by the Department no later than 3:00 P. M. on November 5, 2004.

1. Proposals must be completed in compliance with all requirements of this RFP.
2. The proposal must be signed by an authorized official of the proposer organization.
3. Supplemental information will not be considered after the deadline submission of proposals, unless specifically requested by the Department.
4. An original and five copies of the completed proposal must be addressed to

Department of Correction
24 Wolcott Hill Road
Wethersfield, CT 06109-1152

Attention: Joel R. Ide

V. Supervision

Supervision of the awarded contract will be by the Department's Director of Affirmative Action and the Director of the Maloney Center for Training and Staff Development.

VI. Review Criteria

Proposals will be reviewed in two steps; first, to determine whether the Minimum Requirements have been met; second, to determine the Technical Merit of the proposals and the extent to which they meet the goals and intent of the RFP.

A. Minimum Requirements

Proposals will be screened for completeness and compliance with the requirements specified in the RFP. Proposers who fail to follow instructions or to include all required elements will be deemed incomplete and removed from further review.

B. Technical Requirements

Complete proposals will be reviewed for technical merit based on the following criteria:

1. The extent to which the proposer has demonstrated successful experience providing similar services. Priority will be given to proposers who have successfully provided those services most closely related to services sought through this RFP.
2. The extent to which references support proposer's success in providing similar services.
3. The extent to which services are described clearly and cover all requirements outlined in the RFP.
4. The extent to which adequate time is allocated to manage the services to be provided.
5. The extent to which the profile of staff who will be working on this project is clear and adequate to manage the services to be provided.
6. The extent to which a thorough workplan is presented, with measurable objectives and specific, appropriate timelines.
7. The extent to which a cost-effective budget is presented.
8. **THE COMPETITIVENESS OF THE PROPOSAL.**

C. Review Process

Proposals which meet the minimum requirements will be reviewed by a panel of staff and/or outside experts. Recommendations for the selection of a proposal will be made by this panel. Final selection is at the discretion of the Commissioner, with the advise and consent of the Permanent Commission on the Status of Women, consistent with applicable law.

Following final selection, an opportunity for the negotiation of an appropriate contract document between the proposer and the Department that details services to be provided, budget and reporting requirements will be established.

No financial obligation by the State can be incurred until a contract is fully executed.

VIII. Compliance with Applicable Statutes and Regulations

The proposer is required to be in compliance with all applicable Federal and State statutes and regulations. These include, but are not limited to, all Affirmative Action and Non-discrimination rules and regulations. These forms will be included in all contractual agreements with the Department.

Moreover, in accordance with Section 4a-60(a) of the Connecticut General Statutes, the contractor shall agree and warrant that in the performance of a contract, he/she will not discriminate or permit discrimination against any person or group of persons on the grounds of race, color, religious creed, age, marital status, national origin, ancestry, sex, sexual orientation, mental retardation, mental or physical disability, unless it is shown by the contractor that such disability prevents performance of the work involved, in any manner prohibited by the laws of the United States and the State of Connecticut.

The contractor shall further agree to provide the Commission on Human Rights and Opportunities with such information requested by the Commission concerning the employment practices and procedures of the contractor as they relate to the provisions of Section 4a-60 and Regulations of Connecticut State Agencies, Sections 46a-68J-2 to 46a-68K-8.

IX. Affirmative Action Notice

The State of Connecticut strongly supports the concept and implementation of affirmative action to overcome the present effects of past discrimination. The Department urges its bidders, suppliers, and contractors to implement affirmative action plans and programs of their own, and hereby notifies all bidders, suppliers, and contractors that the Department will not knowingly do business with, or make awards to, any individual or organization excluded from participation in any federal or state contract program, or found to be in violation of any state or federal anti-discrimination law.

X. Assurances

Any prospective contractor must agree to adhere to the following conditions and **must positively state such in the proposal**:

A. **Conformance with Statutes** - Any contract awarded as a result of this RFP must be in full conformance with statutory requirements of the State of Connecticut and the Federal Government.

B. **Ownership of Proposals** - All proposals are to be the sole property of the State, and subject to the provisions of Sections 1-19 of the Connecticut General Statutes (Re: Freedom of Information).

C. **Reports and Information** - The contractor shall agree to supply any information required by the Department: including evaluation and billing information in the time, manner and format directed by the Department. The contractor shall permit access by staff and/or agents properly authorized by the Department to the contractor's premises, staff and participant and financial records, at any reasonable time, to the extent allowed by law and ethical responsibility.

The right to publish, distribute or disseminate any and all information or reports, or any part thereof, shall accrue to the Department without recourse. The contractor shall maintain written records to substantiate costs incurred under the contract.

D. **Timing and Sequence** - Timing and sequence of events resulting from this RFP will ultimately be determined by the State.

E. **Stability of Proposed Prices** - Any price offerings from proposers must be valid for a period of 60 days from the due date of proposer proposals.

F. **Oral Agreements** - Any alleged oral agreement or arrangement made by an proposer with any agency or employee will be superseded by the written agreement.

G. **Amending or Canceling Requests** - The State reserves the right to amend or cancel this RFP at its discretion, prior to the due date and time, and/or at any point prior to the issuance of the written agreement, if it is in the best interests of the agency and the State. The State reserves the right to reject any and all proposals, in whole or in part, to waive technical defects, irregularities and omissions if, in its judgment, the best interest of the State will be served.

B. Services to be Provided (attach additional pages)

1. Describe your experience providing the kinds of services described in the “Services to be Provided” section of the RFP.
2. Indicate at least two references (with their telephone numbers) who may be contracted to support your description of your experience in providing these services.
3. Describe in full how you will meet the requirements of the RFP and the Stipulated Agreement, as outlined in those documents.
4. Describe the staff you propose to employ in completing the requirements of this request. Include the educational, vocational and training backgrounds anticipated for each position category. Provide the anticipated number of full time equivalents for each position category.
5. Provide your proposed hours of operation for this project.

PROPOSAL FORMS

CONTRACTOR CONTACT INFORMATION

PLEASE LIST THE AGENCY CONTACT PERSONS RESPONSIBLE FOR COMPLETION AND SUBMITTAL OF:

Contract and Legal Documents/Forms:

[Empty box for contract and legal documents/forms information]

Name Title Tel. No./Fax No.

[Empty box for address information]

Street Town Zip Code

Program Progress Reports:

[Empty box for program progress reports information]

Name Title Tel. No./Fax No.

[Empty box for address information]

Street Town Zip Code

Financial Expenditure Reporting Forms:

[Empty box for financial expenditure reporting forms information]

Name Title Tel. No./Fax No.

[Empty box for address information]

Street Town Zip Code

Incorporated ____ Yes ____ No

Type of Agency Public Private **Other:**

Profit Non Profit Fiscal Year:

Federal Employer I.D. Number:

Minority Business Enterprise (MBE): Yes No

Women Business Enterprise (WBE): Yes No

Bidder must attach a list of all state agencies or commissions for which it has provided services, along with contact information for each such agency or commission. Additionally, bidder must provide information concerning termination of any sexual harassment, diversity or related services.

ATTACHMENT B

 <p align="center">State of Connecticut Department of Correction</p>	Directive Number 2.2	Effective Date February 10, 2004	Page 1 of 10
	Supersedes Sexual Harassment - October 15, 2003		
Approved By 	Title Sexual Harassment		

1. Policy. It is the policy of the Department to provide its employees with a workplace free of sexual harassment, retaliation and related misconduct. The Department shall investigate and provide appropriate discipline, remedial measures and resolution for each complaint and each reported violation of this policy. Any employee who engages in conduct prohibited by this policy will be subject to discipline, up to and including termination. Any non-employee who violates this policy will be counseled and may be subjected to loss of benefits including but not limited to loss of visitation rights, cancellation of contract, and denial of right to be on Department property. Some of the provisions of this policy are intentionally broader than the prohibitions against sexual harassment provided under state and federal law.

2. Authority and Reference.
 - A. Connecticut General Statutes, Sections 18-81 and 46a-60(8).
 - 42 United States Code 2000e.
 - C. Regulations of Connecticut State Agencies, Sections 46a-68- 31 through 74 inclusive.
 - D. Public Act 03-151, An Act Concerning Affirmative Action Officers.
 - E. American Correctional Association, Standards for the Administration of Correctional Agencies, Second Edition, April 1993, Standard 2-CO-1C-11.
 - F. American Correctional Association, Standards for Adult Correctional Institution, Fourth Edition, Standard 4-4056.
 - G. American Correctional Association, Standards for Adult Local Detention Facilities, 2002 Standards Supplement, January 1993, Standard 3-ALDF 1C-07-1.
 - H. American Correctional Association, Standards for Juvenile Detention Facilities, 2002 Standards Supplement, January 1993, Standard 3-JDF 1C-05-1.
 - I. Administrative Directives, 1.10, Investigations, 2.1, Equal Employment Opportunity and Affirmative Action, 2.6, Employee Discipline, and 2.17, Employee Conduct.
 - I. Orr v. State of Connecticut, Docket No. CV3:02CV1368 (AHN/HBF).
 - J. Allen v. Armstrong, Docket No. CV3:02CV1370 (AHN/HBF), Stipulated Agreement, April 17, 2003.

3. Definitions. The following definitions apply to this Directive:
 - A. Sexual Harassment. Any unwelcome sexual advance, request for sexual favors, disparagement or hazing on the basis of gender, gender identity or sexual orientation, or conduct, verbal or physical, that is of a sexual nature or that is addressed to sexual attributes when:
 1. submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual's employment;
 2. submission to, or rejection of, such conduct by an individual is used as the basis for employment decisions affecting the individual;

3. such conduct has the purpose or effect of creating an intimidating, hostile or offensive working environment; or
4. such conduct substantially and adversely affects the working conditions of an employee or person providing services as a vendor, volunteer or contractor or the privileges of any non-inmate at a Department facility.

B. Retaliation. Any intimidation, threat, coercion, discrimination or other restraint against an employee, volunteer, vendor, contractor or visitor to a Department facility because the individual:

1. made a written or verbal complaint of sexual harassment, retaliation, or related misconduct;
2. resisted or opposed any conduct that violates this Directive;
3. refused to participate in or condone any conduct that violates this Directive; or
4. testified at, assisted in or otherwise participated in any investigation or proceeding concerning sexual harassment.

C. Related Misconduct. Failure of a supervisor or manager to comply with the requirements for detecting, reporting and intervention set forth below.

D. Terms and Conditions of Employment. Working conditions and benefits of all kinds, including but not limited to assignment, shift, promotional opportunities, training opportunities, treatment, and discipline.

4. General Principles.

- A. Sexual harassment is a form of misconduct that undermines the integrity of the employment relationship and the professionalism and efficiency of the Department.
- B. This policy shall protect both employees and non-employees including volunteers, vendors, contractors, and visitors.
- C. This policy protects employees from sexual harassment in their employment, regardless of the source of the sexual harassment.
- D. This policy prohibits sexual harassment by employees against other employees and against non-employees at Department facilities.
- E. This policy does not prohibit normal, courteous, respectful, pleasant and non-coercive interactions.
- F. Identification of conduct, verbal or physical, as sexual harassment does not depend on the intention or motivation of the actor but on whether such conduct meets the definition of sexual harassment and/or could reasonably be perceived as sexual harassment by the person experiencing it.
- G. Conduct need not be repeated, severe or pervasive to constitute a violation of this Directive.
- H. Sexual harassment may occur between individuals of either gender and between individuals of the same gender as well as those of different genders.

5. Specific Prohibitions of Sexual Harassment. Any conduct that constitutes sexual harassment as defined above is prohibited. The following specific conduct are examples of sexual harassment that violates this policy:

- A. Sexual flirtation or touching;
- B. Advances or propositions after an indication that such are unwelcome;
- C. Verbal conduct of a sexual nature;
- D. Graphic or sexually suggestive comment about an individual's dress, body, sexual attributes, sexual activities, gender identity, or sexual orientation;
- E. Use of sexually degrading words to describe an individual;
- F. Display in the workplace of sexually suggestive objects, pictures, or photographs;
- G. Making a comment or starting or spreading a rumor that has the effect of embarrassing, ridiculing, or demeaning an individual on the basis of his or her sexual attributes, gender identity, or sexual orientation;

- H. Making a decision concerning an employee's terms or conditions of employment on the basis of an employee's refusal to submit to sexual advances or any kind of sexual harassment as defined herein or threatening or insinuating that such refusal will adversely affect an employee's terms and conditions of employment in any way;
- I. Making a decision concerning an employee's terms or conditions of employment or stating or insinuating that any term or condition of employment will be favorably affected by an employee's willingness or appearance of willingness to tolerate sexual advances or other sexual harassment, as defined herein;
- J. Jokes, pranks, vandalism or banter that tend to denigrate or show hostility toward an individual or group on the basis of gender, sexual attributes, or sexual orientation;
- K. Sexual assault;
- L. Exposing one's genitals or buttocks; or
- M. Unnecessary touching or physical interference with the movements of another person.

6. Specific Prohibitions of Retaliation. Any conduct that constitutes retaliation as defined above is prohibited. The following specific conduct, when engaged in because the employee has refused to participate in sexual harassment or because an employee has reported, complained of, or otherwise opposed any violation of this policy, are examples of retaliation that violates this policy. Some of these examples of retaliatory conduct may also constitute sexual harassment:

- A. Taking any adverse action against an employee with regard to any term or condition of employment;
- B. Subjecting an employee to a hostile work environment in any way, including but not limited to:
 - 1. shunning or ostracizing the employee;
 - 2. labeling the employee a "snitch" or a "rat" or calling the employee lewd, disgusting or derogatory names;
 - 3. stalking or harassing the employee;
 - 4. making obscene, threatening, harassing or hang-up telephone calls;
 - 5. refusing or threatening to refuse to provide back-up support in performing work duties, including emergencies;
 - 6. engaging in demeaning gossip or spreading of rumors;
 - 7. divulging private information about the employee, except as required by directives governing reporting and investigations;
 - 8. tampering with, vandalizing or interfering with the employee's security equipment, vehicle or personal belongings;
 - 9. denying the employee timely and adequate restroom breaks; or
 - 10. preventing the employee from making radio transmissions.

Selectively disciplining the employee or selectively threatening to impose discipline against the employee;

Holding the employee to a higher standard of performance than other co-workers;

Denying the employee training opportunities, favorable transfers or promotions;

Giving the employee unfair or inaccurate performance evaluations;

Telling other employees, with the exception of other managers or supervisors that have a need to know, or inmates that an employee has made a complaint or identifying an employee as the person who made a complaint, except as required by directives governing reporting and investigations;

Refusing to investigate when the employee reports violations of rules, regulations or directives or refusing to take corrective action when such violations are found to have occurred;

Taking adverse action toward a person who has participated in or supported the investigation of a complaint of violation of this Directive or who has refused to participate in a violation of this Directive;

Involuntarily transferring the employee to different and less desirable facilities, positions or shifts; or

Subjecting a complainant to discipline for failing to make an immediate report

of conduct that violates this Directive.

7. Employee Responsibility. An employee shall not engage in behavior that constitutes sexual harassment, retaliation or related misconduct. The Department will not tolerate violations of this Directive and strongly encourages victims of sexual harassment to report such harassment as soon as feasible after it occurs. Any employee who witnesses sexual harassment, retaliation or related misconduct or who becomes aware that an employee has been subjected to sexual harassment, retaliation or related misconduct should report same to a supervisor, manager, the Unit Administrator or the Affirmative Action Unit as soon as feasible and must do so immediately if the conduct jeopardizes the safety or security of the operation or of personnel.
8. Manager or Supervisor Responsibility.
 - A. Each manager or supervisor has a responsibility to maintain the workplace free of any form of sexual harassment, retaliation or related misconduct, to monitor working conditions in order to detect violations of this Directive, and to take prompt action to correct and report any violation through the chain of command.
 - B. Any manager or supervisor who witnesses conduct that violates this Directive or receives a report of conduct that is alleged to violate this Directive shall immediately report such conduct to a senior manager or the Unit Administrator, who shall advise the Director of Affirmative Action of any violation or alleged violation as soon as feasible.
 - C. Failure of a manager or supervisor to take action upon witnessing or receiving a report of sexual harassment or sexual misconduct committed by an inmate against an employee constitutes a violation of this Directive.
9. Filing a Complaint. The Department will investigate and remedy sexual harassment, retaliation and related misconduct that come to its attention whether or not an employee has made a complaint. The following procedures apply to complaints:
 - A. A complaint of sexual harassment, retaliation or related misconduct shall be made within sixty days of the conduct complained of; however, the Director of Affirmative Action has discretion to accept and investigate complaints made after sixty days and shall do so for good cause shown. The Director of Affirmative Action shall accept and investigate such complaints without a showing of good cause for delay if they allege ongoing or continuous misconduct that has continued by the same alleged wrongdoer(s) within the sixty-day period.
 - B. Complaints may be made in the following ways:
 1. On an Affirmative Action Unit complaint form, including by attaching, without more, an incident report;
 2. By any other written complaint, letter or report;
 3. By telephone;
 4. In person; or
 5. By filing a complaint with the EEOC or CHRO, which refer such complaints to the Department.
 - C. A complaint of violation of this Directive may be made directly to any of the following in any of the ways listed above:
 1. Affirmative Action Unit;
 2. Human Resources;
 3. Unit Administrator or Director;
 4. Any manager or supervisor;

5. The independent Consultant appointed by the Permanent Commission on the Status of Women; or
 6. The Permanent Commission on the Status of Women.
- D. Any of the above recipients of a verbal complaint shall, within five (5) business days, reduce the complaint to writing and give it to the Director of Affirmative Action, who shall notify the complainant of the need to sign the complaint with or without revisions. The investigatory and other obligations, and the time limits set forth, shall not commence, in the case of a verbal complaint, unless and until the complaint is signed. The Affirmative Action Unit shall acknowledge receipt of the complaint through written confirmation provided to the complainant.
- E. In addition to making a complaint within the Department, an employee may make a complaint to other agencies, which have jurisdiction to investigate and remedy such complaints. The filing of a complaint with such agencies will not terminate the Department's investigation of a complaint related to the same allegations.
- F. If a complaint concerns a situation that should have also been the subject of an incident report, but where no such incident report was filed, no discipline beyond formal counseling shall be imposed for such failure, and counseling shall not be imposed in retaliation for the filing of a complaint of a violation of this Directive. Discipline shall not be imposed unless:
1. The Commissioner determines that the delay in filing an incident report materially threatened the safety or security of the institution; and
 2. The Commissioner has consulted with the Consultant to the Permanent Commission on the Status of Women before imposing any discipline for late reporting. Discipline shall not be imposed if the delay was caused by good faith reasons including, but not limited, to fear of retribution, embarrassment or other disincentives, or delay in ascertaining that the acts at issue were related to sexual harassment, retaliation or related misconduct.

10. Investigation of Complaint.

- A. The Affirmative Action Unit shall send each complainant a written acknowledgment of receipt of the complaint.
- B. Any recipient of a verbal complaint shall, within five (5) business days, reduce the complaint to writing and give it to the Director of Affirmative Action, who shall notify the complainant of the need to sign the complaint. The investigatory and other obligations, and the time limits set forth, shall not commence, in the case of a verbal complaint, unless and until the complaint is signed.
- C. The Affirmative Action Unit shall conduct and complete a fair, objective, comprehensive, and, to the extent possible, confidential investigation into each and every complaint of sexual harassment, retaliation or related misconduct. At the complainant's request, investigations shall be conducted at a confidential, off-site location.
- D. The investigation should be completed within forty-five days; however the time to investigate may be extended for good cause, upon three days written notice to the complainant and the PCSW Consultant. The Department shall comply with CHRO regulations that require resolution of complaints within ninety days unless good cause is shown for a longer period for resolution.
- E. The Unit shall forward its report of the completed investigation to Human Resources for a determination whether a pre-disciplinary hearing should be afforded to the person or persons identified as having engaged in sexual harassment, retaliation or related misconduct. After that determination and the conclusion of any such hearing, Human Resources shall follow the routing process for recommendation of level of

discipline to the Commissioner, who shall make the final decision on the actions to be taken.

- F. The Affirmative Action Unit shall, for purposes of assessing credibility, determine from its records whether a person claimed to have violated this Directive has been identified in past complaints of conduct violating this Directive and what findings or corrective action were taken by the Department.
- G. The Affirmative Action Unit shall not represent the Department in any EEOC or CHRO proceedings concerning complaints of sexual harassment or retaliation. Such representation shall be assigned by the Commissioner.
- H. In the course of investigation, the Affirmative Action Unit shall report to the Department of Public Safety any conduct that the investigator or Director reasonably believes constitutes criminal conduct, regardless of any mitigating or other circumstances.
- I. At least once a month until the final resolution of the complaint, the Affirmative Action Unit shall inform the complainant and the subject(s) of the complaint, in writing, of the status of the investigation, disciplinary process, including all appeals.
- J. In the event of a determination that there is not sufficient evidence to substantiate a finding of a violation of this Directive, the complainant and the subject(s) of the complaint shall be notified within five business days of this determination.
- K. Investigation of a complaint shall not be suspended because of the filing of the same complaint with the EEOC or the CHRO. Upon adoption of the Final Report and discipline to be imposed, if any, the complainant shall be promptly notified in writing that the investigation has concluded and informed of the discipline imposed. Upon request, the Complainant shall be provided with the Final Report and any letters of discipline consistent with the provisions of the Freedom of Information Act.

11. Disciplinary Action. Any employee, manager or supervisor who is found, after investigation, to have (a) engaged in conduct prohibited by this Directive; (b) failed to cooperate fully and truthfully in an investigation; or (c) to have lied or given false testimony during the course of an investigation shall be subject to consequences appropriate to the violation, including discipline up to and including dismissal. A person who is the victim of alleged misconduct under this Directive shall not be subject to discipline solely for choosing not to pursue a complaint or because a complaint is not substantiated.

Any manager or supervisor who is found, after investigation to have (a) engaged in related misconduct as define above; (b) been negligent in pursuing appropriate action to enforce this policy; or (c) failed to comply with the obligations it imposes on manager or supervisors, shall be subject to consequences appropriate to the violation, including discipline up to and including dismissal.

12. Remedial Action. Upon a recommendation from the Director of Affirmative Action or the Commissioner's own determination, the Commissioner may order appropriate measures to remedy conditions that violate this Directive. Such remedial measures may include steps necessary to protect the complainant, other employees, and supportive witnesses from harassment or retaliation during and after the investigation, including but not limited: to counseling the alleged harasser to refrain from conduct that may be, or perceived to be harassing or retaliatory; transferring or placing on administrative leave the alleged harasser; or offering the complainant, where available an administrative transfer to another facility or location. No complainant shall be transferred in connection with a complaint of sexual harassment, retaliation, or related misconduct to a shift different from the complainant's current shift unless the complainant agrees in writing to such a shift change.

13. Appeal. If the complainant disagrees with the findings of the investigation, the complainant may request that the Commissioner or designee review the

findings. An employee shall make such a request in writing to the Commissioner or designee within fifteen (15) calendar days of the notification of finding. The Commissioner or designee shall conduct a review and notify the complainant of the results of the review.

14. Confidentiality. The identity of a complainant and the facts and circumstances of a complaint and pending investigation shall, to the extent possible, be kept confidential and shared only on a need-to-know basis.
15. File Management. The complaint file, including all information and documents pertinent to the complaint, shall be maintained in the Affirmative Action Unit.
16. Notification of Complainant's Rights. Upon receiving a complaint of violation of this Directive, the Affirmative Action Unit shall provide the complainant with written information setting forth:
 - A. the procedures and deadlines governing the Department's investigation and resolution of the complaint;
 - B. the complainant's right to file complaints with the EEOC and CHRO and the deadlines and procedures applicable to filing such complaints; and
 - C. the names and telephone numbers of persons and organizations, within and outside of the Department, to contact with questions concerning the complainant's rights and/or the investigation process.

United States Equal Employment Opportunity Commission (EEOC)
One Congress Street, 10th Floor Boston, MA 02114
Telephone: (617)565-3200

Connecticut Commission on Human Rights and Opportunities (CHRO)
Telephone: (800)477-5737

Capital Region, 1229 Albany Avenue, Hartford, CT 06112
Telephone: (860)566-7710

Southwest Region, 0157 Broad Street, Bridgeport, CT 06604
Telephone: (203)579-6246

West Central Region, 55 West Main Street, Waterbury, CT 06702
Telephone: (203)805 6530

Eastern Region, 100 Broadway, City Hall, Norwich, CT 06360
Telephone: (860)886-5703

17. Compliance Report. The Commissioner and the Director of the Affirmative Action Unit shall compile and evaluate data concerning sexual harassment, retaliation, and related misconduct, investigation of such complaints and disciplinary and remedial actions taken, and shall prepare quarterly written reports that shall be made available to all Department employees.
18. Exceptions. Any exception to the procedures in this Administrative Directive shall require prior written approval from the Commissioner.

TECHNICAL REVIEW CRITERIA WORKSHEET

Proposer

<u>Criteria:</u>	<u>Point Value</u>
1. The extent to which proposer has demonstrated successful experience providing similar services.	()
2. The extent to which references support the proposer's success providing similar services.	()
3. The extent to which services to be provided are described clearly and cover all requirements outlined in the RFP.	()
4. The extent to which adequate time is allocated to manage the services to be provided.	()
5. The extent to which the profile of staff who will be working on this project is clear and adequate to manage the services to be provided.	()
6. The extent to which a thorough workplan is presented with measurable objectives and specific, appropriate timelines.	()
7. The competitiveness of the proposal.	()
Total	()

Rating Scale

- 10 Meets criteria to the highest possible degree - could not be better qualified.
- 8 Meets criteria very easily - would have no difficulty with the assignment.
- 6 Meets criteria adequately - would have little or no difficulty with the assignment.
- 4 Meets criteria barely - would have some difficulty with the project.
- 2 Somewhat unacceptable - would have great difficulty with the project.
- 0 Thoroughly unacceptable - would not be able to meet the project assignment.

Date

Reviewer's Signature

**Gift Affidavit to Accompany Bid or Proposal for Large State
Contracts, as defined in Section 2 of Public Act 04-245**

I, Type/Print Name and Title, hereby swear that during the two-year period preceding the submission of this bid or proposal that neither myself nor any principals or key personnel of the submitting firm or corporation who participated directly, extensively and substantially in the preparation of this bid or proposal nor any agent of the above gave a gift, as defined in Conn. Gen. Stat. §1-79(e), including a life event gift as defined in Conn. Gen. Stat. §1-79(e)(12), except the gifts listed below:

<u>Name of recipient of gift</u>	<u>Value of Gift</u>	<u>Date of Gift</u>	<u>Gift Description</u>
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List information here

to (1) any public official or state employee of the state agency or quasi-public agency soliciting the bids or proposals who participated directly, extensively, and substantially in the preparation of the bid solicitation or preparation of request for proposal or (2) to any public official or state employee who has supervisory or appointing authority over the state agency or quasi-public agency soliciting the bid or proposal.

Further, neither I nor any principals or key personnel of the submitting firm or corporation who participated directly, extensively and substantially in the preparation of this bid or proposal know of any action to circumvent this gift affidavit disclosure.

Sworn as true to the best of knowledge and belief subject to the penalties of false statement.

Signature

Date

Sworn and subscribed before me on this _____ day of _____, 200__

Commissioner of the Superior Court
Notary Public