

**Solicitation Information
October 10, 2014**

RFP# 7549062

TITLE: Inmate Telephone System

Submission Deadline: November 12, 2014 at 10 am (Eastern Time)]

**PRE-BID/ PROPOSAL CONFERENCE: Non-Mandatory attendance set for:
Monday 10/27/14 at 10am
Department of Corrections, Administration A Building
2nd Floor, Large Conference Room
40 Howard Avenue
Cranston, RI 02920**

Questions concerning this solicitation must be received by the Division of Purchases at doa.purbidinfo@purchasing.ri.gov no later than 10/29/14 at 5pm (EST). Questions should be submitted in a *Microsoft Word attachment*. Please reference the RFP#7549062 on all correspondence. Questions received, if any, will be posted on the Internet as an addendum to this solicitation. It is the responsibility of all interested parties to download this information.

**SURETY REQUIRED: NO
BOND REQUIRED: NO**

David A. Cadoret
Chief Buyer
Division of Purchases
RI Department of Administration

Applicants must register on line at the State Purchasing Website at www.purchasing.ri.gov

Note to Applicants:

Offers received without the entire completed four-page R.I.V.I.P. Generated Bidder Certification Form attached may result in disqualification.

THIS PAGE IS NOT A BIDDER CERTIFICATION FORM

TABLE OF CONTENTS

Section 1:	Introduction	3
Section 2:	Background and Purpose	6
	Specific Requirements	6
Section 3:	Scope of Work	9
	General Scope of Work	9
	Specific Activities / Tasks	9
Section 4:	Technical Proposal	11
	Narrative and Format	11
Section 5:	Cost Proposal	12
	Detailed Budget and Budget Narrative	12
Section 6:	Evaluation and Selection	13
Section 7:	Proposal Submission	15

RFP: 7549062-Inmate Telephone System

SECTION 1 -- INTRODUCTION

The Rhode Island Department of Administration/Division of Purchases, on behalf of the Rhode Island Department of Corrections, is soliciting proposals from qualified firms to provide, install, and maintain an Inmate Telephone System beginning in January 2015 through December 2017, with an option to renew for up to two additional years, in accordance with the terms of this Request for Proposal (RFP) and the State's General Conditions of Purchase, which may be obtained at the Rhode Island Division of Purchases Home Page by Internet at www.purchasing.ri.gov.

This is a Request for Proposals, not an Invitation for Bid. Responses will be evaluated on the basis of the relative merits of the proposal, in addition to price; there will be no public opening and reading of responses received by the Division of Purchases pursuant to this Request, other than to name those offerors who have submitted proposals.

INSTRUCTIONS AND NOTIFICATIONS TO OFFERORS:

1. Potential vendors are advised to review all sections of this RFP carefully and to follow instructions completely, as failure to make a complete submission as described elsewhere herein may result in rejection of the proposal.
2. Alternative approaches and/or methodologies to accomplish the desired or intended results of this procurement are solicited. However, proposals which depart from or materially alter the terms, requirements, or scope of work defined by this RFP will be rejected as being non-responsive.
3. All costs associated with developing or submitting a proposal in response to this RFP, or to provide oral or written clarification of its content shall be borne by the vendor. The State assumes no responsibility for these costs.
4. Proposals are considered to be irrevocable for a period of not less than sixty (60) days following the opening date, and may not be withdrawn, except with the express written permission of the State Purchasing Agent.
5. All pricing submitted will be considered to be firm and fixed unless otherwise indicated herein.
6. Proposals misdirected to other state locations, or which are otherwise not present in the Division at the time of opening for any cause will be

RFP: 7549062-Inmate Telephone System

determined to be late and will not be considered. For the purposes of this requirement, the official time and date shall be that of the time clock in the reception area of the Division of State Purchases.

7. It is intended that an award pursuant to this RFP will be made to a prime vendor, or prime vendors in the various categories, who will assume responsibility for all aspects of the work. Joint venture and cooperative proposals will not be considered. Subcontracts are permitted, provided that their use is clearly indicated in the vendor's proposal and the subcontractor(s) to be used is identified in the proposal.
8. All proposals should include the vendor's FEIN or Social Security number as evidenced by a W-9, downloadable from the Division's website at www.purchasing.ri.gov.
9. The purchase of services under an award made pursuant to this RFP will be contingent on the availability of funds.
10. Vendors are advised that all materials submitted to the State for consideration in response to this RFP will be considered to be Public Records as defined in Title 38, Chapter 2 of the General Laws of Rhode Island, without exception, and will be released for inspection immediately upon request once an award has been made.
11. Interested parties are instructed to peruse the Division of Purchases website on a regular basis, as additional information relating to this solicitation may be released in the form of an addendum to this RFP.
12. Equal Employment Opportunity (G.L. 1956 § 28-5.1-1, et seq.) – § 28-5.1-1 Declaration of policy – (a) Equal opportunity and affirmative action toward its achievement is the policy of all units of Rhode Island state government, including all public and quasi-public agencies, commissions, boards and authorities, and in the classified, unclassified, and non-classified services of State employment. This policy applies to all areas where State dollars are spent, in employment, public services, grants and financial assistance, and in state licensing and regulation. For further information, contact the Rhode Island Equal Opportunity Office at (401) 222-3090.
13. In accordance with Title 7, Chapter 1.2 of the General Laws of Rhode Island, no foreign corporation, a corporation without a Rhode Island business address, shall have the right to transact business in the State until it shall have procured a Certificate of Authority to do so from the Rhode Island Secretary of State (401-222-3040). This is a requirement only of the successful vendor(s).

RFP: 7549062-Inmate Telephone System

14. The vendor should be aware of the State's Minority Business Enterprise (MBE) requirements, which address the State's goal of ten percent (10%) participation by MBE's in all state procurements. For further information, contact the MBE Administrator at (401) 574-8253 or visit the website www.mbe.ri.gov or contact charles.newton@doa.ri.gov.
15. It is the responsibility of the vendor to ensure that all subcontractors meet all Federal and State laws and regulations including Health Insurance Portability & Accountability Act (HIPAA) requirements and that the appropriate business agreements are in place.
16. The successful offeror may be required to certify to the Rhode Island Department of Corrections that it is in compliance with applicable civil rights laws and regulations. These laws and regulations relate to issues concerning Equal Employment Opportunity (EEO), Limited English Proficiency (LEP), and other anti-discrimination laws. The successful offeror may also be required to prepare an Equal Employment Opportunity Plan. A certification of assurances form will be provided to you upon notification of tentative award. Further information regarding these assurances may be obtained upon request from RI Department of Corrections, Office of Financial Resources (phone: 401-462-2555 or by visiting the U.S. Department of Justice, Office of Justice Programs, Civil Rights website at: <http://www.ojp.usdoj.gov/about/ocr/eeop.htm>

RFP: 7549062-Inmate Telephone System

SECTION 2 -- BACKGROUND AND PURPOSE

BACKGROUND:

The Rhode Island Department of Corrections (RIDOC) is seeking a contractual agreement for the provision, installation, and maintenance of an Inmate Telephone System in accordance with the system specifications outlined throughout this RFP. The RIDOC has a rated capacity of approximately 4,000 offenders, housed throughout seven (7) correctional facilities, all located on the Pastore Complex in Cranston, Rhode Island. The RIDOC is seeking an inmate telephone system that will provide a quality telephone call recording system, ease of use for all of the system's stakeholders, fully automated payment transactions compatible with the Keefe Banking System currently in use within the RIDOC, and quality reporting and surveillance functions to enhance facility security. It should be noted that per RI General Law, the RIDOC does not receive commissions from the inmate telephone system; however, the RIDOC does have a vested interest that the inmate telephone service be offered at a fair and equitable cost to the users.

Specific Requirements:

The proposed term of this contract will be for three years with an option to renew for up to two additional years. The RIDOC is seeking to source this contract to a single vendor who will have sole responsibility for any sub-contractors who may be involved in performing the work. RIDOC reserves the right to approve/deny sub-contractors based on the security interests of the agency and RIDOC policy pertaining to entry and exit into its correctional facilities.

Staff and vendor qualification requirements for this proposal are outlined in section 4 of this document.

The vendor must possess prior experience in the installation and management of an inmate telecommunication system. At a minimum, the system must provide the following:

- It is preferable that the Inmate Telephone System utilizes Voice Over IP (VoIP) utilizing the existing fiber on RIDOC grounds. Any changes to the existing wiring/fiber infrastructure shall be the responsibility of the successful vendor.
- It is preferable that the telephone system is a web-based system and that the vendor hosts the system.
- The vendor shall be required to perform installation and support for the system. If sub-contractors are utilized, they should be clearly identified as such and their detailed qualifications must be incorporated into the submission. The State reserves the right to reject proposed sub-contractors.

RFP: 7549062-Inmate Telephone System

- All line fees, billing, collection expenses, installation and equipment costs, including the liability of fraudulent use of the telephone system, uncollectable billings, carrier fees, and other direct/indirect costs associated with providing the telephone system will be the responsibility of the vendor.
- Proposed rates charged for intra-state and inter-state long distance calls must be clearly stated. All charges associated with system use must be identified and fully explained to all stakeholders.
- The system must provide a minimum of 1 TDD telephone or TDD device for the hearing impaired in each of the seven facilities.
- The system must include localized shut off capabilities in each RIDOC facility which is accessible to facility security personnel. A "Master" shut off switch for each separate building is desirable.
- The inmate telephones must not contain removable parts and must be designed and installed in such a manner that presents no safety hazards to the user or other inmates.
- PIN numbers or another proposed individual identification method/ system must be used by offenders making telephone calls.
- The proposed system shall not allow incoming calls under any circumstances or conditions.
- The system must allow for collect calls.
- Options on direct and indirect calling by the offender shall be presented. A pricing structure for each options shall also be provided.
- Directory assistance or telephone information services may not be accessible from inmate telephones.
- Toll free numbers and emergency telephone numbers (e.g., 911) shall not be accessible through the inmate telephone system.
- The system shall restrict/prohibit three-way calling, call forwarding, and other means of external telephone access beyond the allowable telephone numbers on an inmate's phone list.
- The system shall have the capability to deliver voice announcements to the called party, identifying the caller and the facility from which the call is being placed.
- The system shall allow various methods to restrict or block offenders from calling specified numbers.
- The system must validate all telephone numbers submitted by the offender population for inclusion on their call list.
- The system shall be capable of "free calls" to be made to public defenders, investigative authorities, and other numbers deemed essential per RIGL or RIDOC policy.
- The system shall be capable of audio/digital recording and data storage of all calls, except those designated as "privileged" to protect attorney/client privilege. Random monitoring of recorded calls may not interrupt the recording process, nor should live monitoring of calls be detectable by the parties engaged in the call.

RFP: 7549062-Inmate Telephone System

- The system must be capable of “call detail analysis” which includes, at a minimum, reports by offender ID/pin number, telephone from which calls are placed, and called numbers within the system.
- The system shall provide security codes for staff with multiple levels of security and access. This feature can be maintained by an administrator at RIDOC.
- The system shall be available to various personnel at RIDOC at anytime; and, as noted previously, should be web-based.
- The PIN numbers or other personal identification system must be able to automatically interface with the RIDOC Keefe account and/or purchase of a virtual telephone debit card. The RIDOC utilizes the Keefe Inmate Banking system. The vendor will be responsible for any and all costs associated with the programming of an interface that allows for the transfer of monies from an inmate’s personal Keefe account to his or her telephone account.
- The vendor shall provide toll-free telephone support to the RIDOC. The support is expected to assist in troubleshooting and executing any “Inmate Telephone System” issues or problems. It is also required that an on-site service desk representative be located at the RIDOC to trouble shoot any problems or issues as they arise.
- The vendor shall also provide a toll free support telephone number for families and friends of offenders who may have questions or concerns about the system.
- The vendor shall be responsible for training the inmate population on the use of the phone system to be installed. Any and all printed material shall be provided in Spanish as well as English.
- The vendor shall provide digital recordings w/ automated software to allow departmental or Attorney General’s representatives providing access to voice conversations maintained by the system via a web portal or VPN.
- Immediately following the initial installation of the system, the vendor shall be available, on site, for at least two and up to four weeks in order to troubleshoot the system.
- System training shall be provided to key RIDOC staff prior to the system being activated for use.
- Training materials in the form of instructional pamphlets, videos, posters, etc. shall be provided for offenders and their families and friends on how to access features and information about the system.
- The vendor selected to install the system must be properly licensed in the State of Rhode Island.
- The selected vendor is responsible for insuring that any gap in service between the implementation of the new contract and the conclusion of the current contract is kept to an agreed upon minimum. There can be no major system-wide interruption of service during the transition.

RFP: 7549062-Inmate Telephone System

- Vendor shall specify processes for rectifying disputes or problems encountered by the inmate population. Such processes shall include written responses from the vendor back to the inmate(s) submitting such dispute/problem within a specified timeframe. The timeframe shall be identified as part of the RFP submission

SECTION 3 -- SCOPE OF WORK

REQUIREMENTS:

General Scope of Work: The chosen vendor will be required to be properly licensed in the State of Rhode Island to perform the requisite work. The vendor will install, maintain and provide support for an Inmate Telephone System in the RIDOC's seven (7) correctional facilities with a housing capacity of approximately 4,000 offenders and provide monitoring equipment for the same.

The vendor shall plan on installing a minimum of 356 inmate telephones, including at least 60 outdoor all-weather phones. The number and location of inmate telephones shall remain negotiable for the duration of the contract based on call volume, telephone demand, and unforeseen physical plant changes, and other reasons as determined by security needs of the RIDOC.

Specific Activities / Tasks:

Deliverables:

- A minimum of 356 of inmate telephones to be installed throughout the seven RIDOC facilities
- At least 60 all-weather telephone units suitable for outdoor installation
- Adequate desktop and portable monitoring equipment for investigators and supervisors
- Adequate data storage capabilities with a back up data storage system to insure recordings are not lost
- Integrated security through a pin administration or voice recognition system to authenticate the end user
- Provide an integrated interface with the Keefe Inmate Banking system to allow for an automated process of charging an inmate's trust fund based upon an authorization. Provide electronic data log as a security check point
- Provide system training for select RIDOC personnel and provide administration manuals
- Provide system user training and instruction materials for offenders and their families and friends in both English and Spanish.

RFP: 7549062-Inmate Telephone System

- Provide an on-site team that addresses day-to-day requirements. Education and experience of the assigned staff are to be provided as part of the submittal package.

RIDOC Responsibilities:

- RIDOC shall supply office space for the on-site system technician/operator
- In cooperation w/ the vendor, the RIDOC shall be responsible for on grounds training facilities to be used by RIDOC personnel required to be trained on the system.
- RIDOC will be responsible to provide contract employees with all correctional/security based training that may be required per RIDOC policy and federal law.

Contractor Responsibilities:

- The contractor/vendor will provide all clerical work associated with this project.
- The contractor/vendor shall be responsible for all travel and per diem expenses for its employees and sub-contractors related to installation, service, training, and support.
- The contractor will be responsible for any specialized equipment or furnishings that may be required in order to implement this project.

Security Requirements:

Employees of contractors who must gain entrance into correctional facilities are subject to police record/criminal background checks; the Department of Corrections retains the right to refuse entrance to contractor employees and sub-contractors with felony convictions. Access to correctional facilities also requires adherence to rigid security rules as far as property search, contact with inmates, tool inventories and controls, and facility dress code compliance, etc.

Contract employees whose responsibilities may call for them to come into contact with or have communication with the offender population on a more than incidental basis will be required to attend an orientation program which provides an overview of RIDOC policies and regulations, including Federally mandated employee/vendor training pertaining to the Prison Rape Elimination Act (PREA).

RFP: 7549062-Inmate Telephone System

SECTION 4 -- TECHNICAL PROPOSAL

Narrative & format:

1. Staff Qualifications –

Resumes for all staff who will be involved in this project which demonstrates their ability and experience to fulfill this agreement. An estimate of the number of work hours and the related hourly rate per individual shall also be provided.

2. Capability, Capacity, and Qualifications of the Offeror –

A detailed description of the Vendor's experience and prior projects involving the installation and administration of an inmate telephone system shall be provided. A list of relevant client references should accompany the submission. Such references are to include client names, addresses, phone numbers, dates of service and type(s) of service(s) provided.

3. Work Plan –

Regardless of the vendor chosen, the gap in service between the conclusion of the current contract and the implementation of this new contract award must be kept to a minimum. As part of the final agreement with the new contract vendor, specific deadlines for the transition from the old contract to the new contract will be agreed upon and must be adhered to. Telephone service has significant social and legal ramifications for the offender population; unreasonable interruptions in service may pose serious security concerns. Adherence to prescribed time frames will be expected. Entry and exit into correctional facilities must be coordinated thoughtfully with security and, if applicable, maintenance personnel.

Proposals should include the framework and timeline in which the above will be accomplished.

4. Approach/Methodology –

If not incorporated into the Work Plan noted above, the proposal should outline the applicant's proposed approach/methodology in implementation of this project.

RFP: 7549062-Inmate Telephone System

5. Minority Business Representation –

The State of Rhode Island has set a goal of increasing minority representation in contracts awarded. The proposal should outline how the vendor will achieve a five percent value on the cost of this contract for minority representation. Specific contracts/subcontracts or activities should be clearly identified.

SECTION 5 -- COST PROPOSAL

Detailed Budget and Budget Narrative:

Submissions shall include all calling rates to include any applicable call set up fees, rate per minute for local, intra-state, and interstate calls, as well as international call rates.

Submissions shall specifically outline how offenders (and their families and friends, if applicable) set up telephone accounts, the ways/means by which account payments can be made, how refunds for unused funds can be acquired upon discharge, and how customer complaints can be filed.

Example: Provide a proposal for fees charged reflecting the hourly rate, or other fee structure, proposed to complete all of the requirements of this project. Explain the basis and rationale of your fee structure. Alternative fee schedule proposals will be considered; however, you must provide an understandable fee structure and explain the benefits of the alternative approach.

RFP: 7549062-Inmate Telephone System

SECTION 6 -- EVALUATION AND SELECTION

Proposals will be reviewed and scored by a Technical Review Committee comprised of staff from state agencies. To advance to the Cost Evaluation phase, the Technical Proposal must receive a minimum of 50 (71.4%) out of a maximum of 70 technical points. Any technical proposals scoring less than 50 points will not have the cost component opened and evaluated. The proposal will be dropped from further consideration.

Proposals scoring 50 technical points or more will be evaluated for cost and assigned up to a maximum of 30 points in that category, bringing the potential maximum score to 100 points.

The Department of Corrections reserves the exclusive right to select the individual(s) or firm (vendor) that it deems to be in its best interest to accomplish the project as specified herein; and conversely, reserves the right not to fund any proposal(s).

Proposals will be reviewed and scored based upon the following criteria:

Criteria	Possible Points
Staff Qualifications – individual(s) must be able to demonstrate evidence of prior, successful project management and implementation in this type of work through a bio, resume, or references. Vendor must be able to demonstrate or provide information about successful implementation of Inmate Telephone Systems in other jurisdictions, and demonstrate how the system is user-friendly for all stakeholders: investigators, offenders, administrators.	15 Points
Capability, Capacity, and Qualifications of the Offeror - System security features, protections against fraudulent usage, and system enhancements to the investigative process will all be factored into scoring for this section. Does the proposal meet all of the requirements outlined in Section 2.	25 Points
Quality of the Work plan: Is the plan reasonable within a Correctional environment? Is the timetable clearly identified and is implementation concise. What is the level of staffing assigned to the project? When will staff be present during the project or is it assumed that staff will only be present during implementation/cut over?	15 Points
Suitability of Approach/Methodology: Are all the elements well thought out and presented in a logical fashion? What is the timeline for installation and start up? What training hours are being provided for departmental staff and the inmate population?	10 Points

RFP: 7549062-Inmate Telephone System

Minority Representation: The State of RI's goal is to reach a 10% minority representation on the value of the projected gross sales. What is the dollar value of work and anticipated percentage that work represents to be completed by a registered M/WBE under this agreement?	5 Points
Total Possible Technical Points	70 Points
Cost [calculated as (lowest responsive cost proposal) divided by (this cost proposal) times 30 points]	30 Points
Total Possible Points	100 Points

Points will be assigned based on the offeror's clear demonstration of his/her abilities to complete the work, apply appropriate methods to complete the work, create innovative solutions and quality of past performance in similar projects.

Applicants may be required to submit additional written information or be asked to make an oral presentation before the Technical Review Committee to clarify statements made in their proposal.

RFP: 7549062-Inmate Telephone System

SECTION 7 -- PROPOSAL SUBMISSION

A Pre-proposal Conference, for the purpose of clarifying the scope and intent of this requirement, as well as the evaluative criteria to be employed in the review of responses to this Request, will be conducted at the date, time and location listed on the cover page. A summary of this meeting will be issued, as an addendum to this solicitation, and posted on the Rhode Island Division of Purchases home page at the Internet address listed on Page 1.

Questions concerning this solicitation may be e-mailed to the Division of Purchases at [doa.purbidinfo@purchasing.ri.gov] no later than the date and time indicated on page one of this solicitation. Please reference **RFP #7549062** on all correspondence. Questions should be submitted in a Microsoft Word attachment. Answers to questions received, if any, will be posted on the Internet as an addendum to this solicitation. It is the responsibility of all interested parties to download this information. If technical assistance is required to download, call the Help Desk at (401) 574-9709.

Offerors are encouraged to submit written questions to the Division of Purchases. **No other contact with State parties will be permitted.** Interested offerors may submit proposals to provide the services covered by this Request on or before the date and time listed on the cover page of this solicitation. Responses received after this date and time, as registered by the official time clock in the reception area of the Division of Purchases will not be considered.

Responses {**an original (1) plus four (4) copies**} should be mailed or hand-delivered in a sealed envelope marked "RFP#7549062" to:

RI Dept. of Administration
Division of Purchases
2nd floor
One Capitol Hill
Providence, RI 02908-5855

NOTE: Proposals received after the previously referenced due date and time will not be considered. Proposals misdirected to other State locations or those not presented to the Division of Purchases by the scheduled due date and time will be determined to be late and will not be considered. Proposals faxed or emailed to the Division of Purchases will not be considered. The official time clock is in the reception area of the Division of Purchases.

RESPONSE CONTENTS

Responses should include the following:

1. A completed and signed four-page R.I.V.I.P generated **bidder certification** cover sheet -- downloaded from the RI Division of Purchases Internet home

RFP: 7549062-Inmate Telephone System

page at: www.purchasing.ri.gov

2. A completed and signed **W-9** downloaded from the RI Division of Purchases Internet home page at: www.purchasing.ri.gov
3. A ***letter of transmittal*** signed by the owner, officer, or authorized agent of the firm or organization, acknowledging and accepting the terms and conditions of this Request, and tendering an offer to the State.
4. A separate ***Technical Proposal*** describing the qualifications and background of the applicant and experience with and for similar projects, and all information described earlier in this solicitation. The Technical Proposal is limited to six (6) pages (this excludes any appendices). As appropriate, resumes of key staff who will provide services covered by this request.
5. A separate, signed and sealed ***Cost Proposal*** reflecting the hourly rate, or other fee structure, proposed to complete all of the requirements of this project. The attached information for last fiscal year's usage is provided. The cost proposal shall outline the surcharge cost for each category of call outlined.
6. In addition to the multiple hard copies of proposals required, Respondents are requested to provide their proposal in ***electronic format (CDRom, diskette, or flash drive)***. Microsoft Word / Excel or PDF format is preferable. Only 1 electronic copy is requested and it should be placed in the proposal marked "original".

CONCLUDING STATEMENTS

Notwithstanding the above, the State reserves the right not to award this contract or to award on the basis of cost alone, to accept or reject any or all proposals, and to award in its best interest.

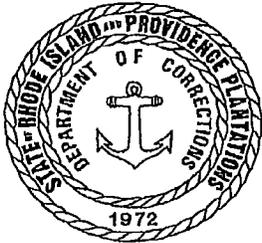
Proposals found to be technically or substantially non-responsive at any point in the evaluation process will be rejected and not considered further. The State may, at its sole option, elect to require presentation(s) by offerors clearly in consideration for award.

RFP: 7549062-Inmate Telephone System

**Inmate Telephone Usage from All Facilities
July 1, 2013 through June 30, 2014**

	FY 2014 Total Calls	FY 2014 Total Minutes	Proposed Fee
Debit US Territories	624	5,531	
Debit Non-US Caribbean	148	940	
Debit Local	656,262	9,385,507	
Debit Intrastate Intralata	94,808	1,394,987	
Debit Interstate Interlata	12,918	120,570	
Debit Canada	64	574	
Collect US Territories	108	1,092	
Collect Local	48,235	593,123	
Collect Intrastate Intralata	14,481	178,686	
Collect Interstate Interlata	1,681	17,498	
Collect International	70	588	
Advance Pay US Territories	590	6,240	
Advance Pay Non-US Carribean	75	448	
Advance Pay Local	404,416	5,927,709	
Advance Pay Intrastate Intralata	71,039	1,060,278	
Advance Pay Interstate Interlata	18,066	195,949	
Advance Pay Canada	12	189	
	1,323,597	18,889,909	

RHODE ISLAND DEPARTMENT OF CORRECTIONS POLICY AND PROCEDURE



POLICY NUMBER: 8.08-2 DOC	EFFECTIVE DATE: 04/28/14	PAGE 1 OF 4
SUPERCEDES: 8.08-1 DOC	DIRECTOR: Please use BLUE ink. <i>Richard T. Wall</i>	

SECTION: PHYSICAL PLANT ENVIRONMENTAL CONDITIONS	SUBJECT: SMOKING AND TOBACCO REGULATIONS
--	--

AUTHORITY: Rhode Island General Laws (RIGL) § 42-56-10(22), Powers of the director; § 23-20.10-1 *et seq.*, Public Health and Workplace Safety Act; Executive Order 91-40

REFERENCES: U.S. Department of Health and Human Services. *How Tobacco Smoke Causes Disease: The Biology and Behavioral Basis for Smoking-Attributable Disease*, Public Health Service, Office of the Surgeon General, 2010; Fire Safety in Correctional Facilities (NFPA study); NCCHC standards J-48, Use of Tobacco Products; P-50, Smoke-Free Environment; RIDOC policy 9.14-6 DOC, Detecting and Confiscating Contraband on or in the Possession of Inmates/Detainees (Including Frisk, Strip and Body Cavity Searches) or in Inmate Transport Vehicles; 9.18-4 DOC, Introduction of Unauthorized Items into the Adult Correctional Institutions; 11.01-6DOC, Code of Inmate Discipline; 24.03-4 DOC, Visits

INMATE/PUBLIC ACCESS?	X YES
AVAILABLE IN SPANISH?	X YES

I. PURPOSE:

Tobacco use, particularly smoking, remains the number one cause of preventable disease and death in the United States. Involuntary exposure to environmental tobacco smoke (ETS) remains a common, serious public health hazard that is entirely preventable by adopting and enforcing policies. Smoking bans are the most effective method for reducing ETS exposure and are the only way to completely eliminate ETS exposure. Beyond eliminating ETS exposure among nonsmokers, smoking bans have additional benefits, including improved fire safety, reduced ~~smoking intensity~~, potential cost savings to employers by way of lower healthcare and building maintenance costs and higher employee productivity due to reduced absenteeism. In addition, all tobacco products (including chewing tobacco) have an adverse effect on

health, sanitation, and the condition of the physical plant. Optimal protection of nonsmokers and smokers, therefore, requires a smoke-free environment.

Given correctional facilities' unique settings, the national trend of correctional jurisdictions adopting total smoking bans within their prison systems and that ETS exposure remains a common public health hazard that is entirely preventable, the Rhode Island Department of Corrections (RIDOC) intends to eliminate the problems and risks associated with exposure to tobacco and ETS to staff, inmates, visitors, contractors, and property under the control of RIDOC by implementing a total ban on the use of tobacco products within its facilities.

II. POLICY:

All possession and use of tobacco products and their accessories, including but not limited to pipes, cigarettes, cigarette papers, chewing tobacco, cigars, matches and lighters, is prohibited within any and all buildings, vehicles, and property under the control of the RIDOC. (See, 9.18-4 DOC, Introduction of Unauthorized Items into the Adult Correctional Institutions, or a successive policy.)

In addition, electronic cigarettes (e-cigarettes) are also prohibited within any and all RIDOC buildings, vehicles and property.

III. PROCEDURES:

A. Applicability

This policy applies to, but is not necessarily limited to, RIDOC administrators, medical professionals, correctional and superior officers, non-uniformed personnel, contract employees, contractors, volunteers, students, and interns.

B. RIDOC Staff

1. The USE of tobacco products and/or accessories, e-cigarettes and their components is prohibited within any building, vehicle, and/or property under the control of the RIDOC.
2. In addition, RIDOC employees as defined in item III.A. are prohibited from having tobacco products and/or accessories, e-cigarettes and their

components in their POSSESSION when they are supervising or have custody of inmates.

- a. Staff who work in any prison facility or "out building" (e.g., Industry shop) must deposit any/all tobacco products and/or accessories, e-cigarettes and their components in their lockers PRIOR TO assuming their posts.
 - b. Staff who enter/visit any prison facility or "out building" (e.g., to tour the facility, to attend a meeting, to conduct an audit, etc.) may not have any tobacco products, accessories, e-cigarettes and their components in their possession.
3. Smoking by RIDOC employees shall only be permitted during authorized breaks in designated "outside smoking areas" at least fifty (50) feet away from building entrances and windows.
 4. Facility and building administrators or their designees will designate one outside smoking area per building.

NOTE: Inmate recreational areas shall not be considered outside smoking areas.

5. Facility and building administrators or their designees shall also ensure that adequate refuse containers are available to smokers in close proximity to outdoor smoking areas. Facility and building administrators ensure that such containers shall be emptied on a regular basis. Smokers shall destroy or render unusable their discarded tobacco products and accessories prior to discarding them.
6. RIDOC employees having custody of or supervising inmates (e.g., off-grounds work crews) shall not smoke, use tobacco-related products, or e-cigarettes and their components while on duty in the presence of inmates.
7. Violations of this policy may result in disciplinary action up to and including termination.

C. Inmates

1. No tobacco products, e-cigarettes and their components shall be stocked or sold by the Inmate Commissary.

2. Smoking, the use/possession of tobacco-related products, or e-cigarettes and their components by inmates is prohibited.
3. Passing, receiving and/or possessing tobacco, tobacco-related products, or e-cigarettes and their components (Category 1 contraband) is a Class 2 offense. Discipline shall be administered consistent with policy 11.01-6 DOC, Code of Inmate Discipline, or a successive policy.
4. Upon commitment to the Intake Service Center (ISC) (men) or the Gloria DiSandro McDonald building (women), RIDOC staff shall search for and dispose of any tobacco, tobacco-related products, or e-cigarettes and their components. These items shall be destroyed.

NOTE: Information regarding the "Smoking and Tobacco Regulations" policy will be included in inmate handbooks and outlined during inmate orientation.

D. Visitors

1. Wardens or designees will ensure that signs in English and Spanish are posted outside each facility stating that visitors are prohibited from bringing any tobacco-related items into the facility. Visitors shall secure all tobacco-related items in lockers located in facility lobbies.
2. Any visitor refusing to comply with the "Smoking and Tobacco Regulations" policy shall be denied visiting privileges. (See policy 24.03-4 DOC, Visits, or a successive policy.)

**RHODE ISLAND DEPARTMENT OF CORRECTIONS
POLICY AND PROCEDURE**

	POLICY NUMBER: 9.40-4 DOC	EFFECTIVE DATE: 01/30/12	PAGE 1 OF 8
	SUPERCEDES: 9.40-3 DOC	DIRECTOR: 	
SECTION: SECURITY AND CONTROL		SUBJECT: PROCEDURES FOR CONTRACTORS AT INSTITUTIONAL FACILITIES	
AUTHORITY: Rhode Island General Laws (RIGL) § 42-56-10(22), Powers of the director			
REFERENCES: RIDOC policy #'s 3.14-2 DOC, Code of Ethics; 4.03-2 DOC, Orientation and Entrance-Level Training for Non-Correctional Officer Employees; 7.01-1 DOC, Accountability and Procedures for the Utilization of Community Agencies, Volunteers, Interns, and/or Employees of Outside Public and Private Organizations; 9.18-4 DOC, Introduction of Unauthorized Items Into the Adult Correctional Institutions; 9.23-2 DOC, Access to ACI Facilities by Staff and Persons Providing Services to RIDOC; 9.24-1 DOC, Entry/Exit to Secure Facilities; 10.35-1 DOC, Maintenance On-Call Procedures			
INMATE ACCESS THROUGH LAW LIBRARY?		X YES	
SPANISH TRANSLATION?		X NO	

I. PURPOSE:

To delineate the rules, regulations and procedures that must be followed by all contractors who provide services to the Rhode Island Department of Corrections (RIDOC) in its institutional facilities.

II. POLICY:

It is imperative that all contractors providing services in RIDOC's institutional facilities fully understand and adhere to the rules, regulations and procedures as directed by the Department, to include the Department's Code of Ethics and Conduct (policy 3.14-2 DOC, or a successive policy). Failure to adhere to these rules and regulations may result in a delay of payment or non-payment of invoices, suspension of the contractor's

or contractor's representative authorization to provide continuing services, and/or termination of the contract with RIDOC.

Departmental contract managers are responsible for the dissemination of this policy to all appropriate contractors and to ensure that contractors fully understand these rules and regulations. Contractors are, in turn, responsible for disseminating this policy to appropriate employees and subcontractors.

III. PROCEDURES:

A. Definition

For the purposes of this policy, a contractor is defined as any individual, organization, business, or program provider other than RIDOC employees who have been contracted by the State (or sub-contracted to a contractor of the State), or who are otherwise compensated to provide goods or services to RIDOC and who are required to enter secure areas of a correctional institution.

B. Orientation Program

1. If a contractor is to provide services which bring its workers into regular contact with inmates, such contractor or contractor's employees may be required to participate in an orientation program conducted by RIDOC's Training Academy in consultation with the appropriate administrator.
2. RIDOC contract managers should consult with the Assistant Director of Institutions and Operations or designee if there is a question as to the appropriateness of this training for a contractor or employees of the contractor.
3. If an orientation is needed, it is the responsibility of the contract manager to arrange a session with the Training Academy.
4. A schedule of training can be obtained from the Training Academy.

C. ID Requirement

1. Contractors who are required to perform services within institutional facilities must obtain security clearances consistent with policy 9.23-2 DOC, Access to ACI Facilities by Staff and Persons Providing Services to RIDOC, or a successive policy.

2. A Photo Identification Card/Access to Facilities Application Form is submitted to the contract manager, who, in turn, processes the application with RIDOC's Identification Unit. (See policy # 9.23-2 DOC, Access to ACI Facilities by Staff and Persons Providing Services to RIDOC, or a successive policy, for application form.)
3. Upon completion of service and/or expiration of contract, or upon the expiration date of the badge, identification badges must be returned to the contract manager. The contract manager then notifies the Assistant Director of Institutions and Operations or designee so that the contractor's employees' information maintained in applicable RIDOC databases may be updated.

For those contractors who are not issued ID badges, the contract manager, upon completion of service and/or expiration of contract, notifies the Assistant Director of Institutions and Operations or designee so that the contractor's employees' information maintained in applicable RIDOC databases may be updated.

D. Work Hours

1. General - Contractor work hours are scheduled either:
 - a. In accordance with the provisions set forth in the contract; or
 - b. As scheduled by the contract manager prior to the commencement of work.
 - c. No work is performed on Saturdays, Sundays, or holidays, unless authorized by the contract manager.
2. Facilities and Maintenance - Staff calls/faxes a request for service repairs.
 - a. Contractor calls the Facilities and Maintenance Office to schedule service repairs and establish work day and time. Every effort is made to schedule service calls between the hours of 7:30 a.m. and 3:00 p.m.
 - b. Contractor employees report to the Facilities and Maintenance Office to sign-in the appropriate logbook and contact the facility in need of service.

NOTE: Regardless of pre-scheduling, the Warden, Deputy Warden, or Shift Commander of the facility may, at any time, prohibit entry into a facility when deemed necessary for security purposes. The Shift Commander **MUST** contact the facility administrator before making this decision.

- c. Contractor reports to the facility and makes the necessary repairs. Contractor has the work order slip signed by a RIDOC staff member (e.g., maintenance personnel, steward, fire safety technician, or correctional officer escorting the contractor).
- d. Contractor leaves the facility and reports back to the Facilities and Maintenance Office to sign-out of logbook, relay any necessary information, and present signed service slip.

NOTE: All invoices noting hours worked must coincide with the sign-in/out hours in the aforementioned log book.

- e. If it is necessary for service calls to be extended beyond 4:00 p.m., contractor staff call the Facilities and Maintenance Office from within the facility where service is being performed and leave a voice mail message including departing day, date, time, facility location and extension from which s/he is calling.
- f. Sign-in/sign-out procedures:

Any contractor required to enter a RIDOC facility which houses inmates must abide by facility sign-in and sign-out requirements.

E. Security of Tools, Equipment and Toxic/Caustic Materials

It is the responsibility of all contract managers to provide contractors with instructions regarding the security of tools, equipment and toxic/caustic materials.

F. Conduct of Contractor and Contractor's Employees

- 1. The contractor shall communicate all necessary policies, rules, and regulations to his/her employees and subcontractors.
- 2. Contractors shall not have any illegal drugs, legally prescribed medical marijuana or alcohol on their persons.

3. Unopened and sealed containers of alcohol are permitted in vehicles only, consistent with 3.14-2 DOC, Code of Ethics, or a successive policy.
4. A contractor who works in a secure area or in proximity to the inmate population and has in his/her possession prescription medication must take steps to assure that these substances are stored in such a way that they are not accessible to the inmate population.

NOTE: The Rhode Island Medical Marijuana Act at RIGL § 21-28.6-7 specifically states that it does not permit:

- (a) "any person to undertake any task under the influence of marijuana, when doing so would constitute negligence or professional malpractice."
 - (b) the smoking of marijuana "in a correctional facility; or public place."
5. Contractors are not allowed admittance into any facility if it is known that they have consumed alcoholic beverages while outside the correctional property during the workday.
 6. Contractors shall not have weapons of any sort on their persons or in their vehicles.
 7. Contractors must park in designated parking areas and must lock all vehicles.
 8. Contractors shall have no contact with inmates, except where such contact is a provision of the contract. When an inmate has initiated inappropriate contact with any contractor, such contact shall be immediately reported to the Correctional Officer in charge.
 9. Vehicles and personal property of the contractors are subject to search when deemed necessary for security purposes.
 10. No contractor convicted of a felony is allowed to work in the facilities without the express permission of RIDOC's Director, Assistant Director of Institutions and Operations or designees following consultation with the facility's Warden or Deputy Warden.

11. Contractors shall not bring into the facilities any items not required for the execution of their respective responsibilities and not approved by the contract manager.

All contractors are required to follow the procedures set forth in section III.A. of RIDOC policy 9.18-4 DOC, Introduction of Unauthorized Items into the Adult Correctional Institutions, or a successive policy. Any special circumstances which require an exception from these procedures must be approved by the facility Warden or designee. Contract managers shall facilitate these exceptions.

It is the responsibility of the contract manager to distribute a copy of policy 9.18-4 DOC, Introduction of Unauthorized Items into the Adult Correctional Institutions, or a successive policy, to all contractors.

12. Contractors are permitted to perform only the work authorized by the contract manager or his/her express designee. They may not accept direction as to the scope of work, the nature of the work, or changes to the work from any other person.
13. Upon entry into a RIDOC facility, all persons other than uniformed facility staff are required to produce proper identification (picture I.D.) and surrender it to the Main Control Center or Vehicle Trap Officer. The Main Control Center or Vehicle Trap Officer issues a facility I.D. badge and retains the person's personal I.D. The process reverses when exiting the facility. Persons not possessing proper identification are denied admittance/access.

G. Contractor Request Form (Facility Maintenance/Repair/Construction Only)

1. For normal work needs, a contractor job request form (Attachment 1) is forwarded to the contractor via fax by the Facilities and Maintenance Office (Note: The fax may be preceded by a telephone call to the contractor).
 - a. The request describes work to be performed, location, equipment identification, and RIDOC JOB # (number).
 - b. The contractor provides only those services described on the contractor request form.

- c. The RIDOC JOB # listed on this form must be cited on all invoices.
2. Prior to the performance of any work, the contractor contacts the Facilities and Maintenance Office, where arrangements are made with the facility and the contractor is given further instructions.

NOTE: ADMITTANCE INTO THE FACILITY IS NOT ALLOWED UNLESS THE RIDOC FACILITIES AND MAINTENANCE UNIT IS FIRST CONTACTED.

H. Contractor Emergency Service (Facility Maintenance/Repair/Construction Only)

1. The contractor must provide a 24-hour service number.
2. The contractor is contacted by telephone outside of normal work hours. Emergency service is authorized by designated RIDOC Facilities and Maintenance Unit superintendents or their designees.
3. The contractor is given the location and description of work to be performed, and is issued a temporary work order number by the Maintenance Superintendents. Facilities and Maintenance must give notice to the Shift Commander of who the contractor is sending, when s/he will arrive and for what purpose.
4. The contractor reports to the Main Control Center of the facility where work is to be performed. Upon arrival, appropriate facility staff performs applicable background checks.
5. Prior to starting work, contractor employees must call the Facilities and Maintenance Office from within the facility and leave a voice mail message stating the day, date, time, facility location and extension from which s/he is calling.
6. As required, a Correctional Officer is assigned to log tool inventory and to provide escort.
7. The contractor performs only work which is described by the Facilities and Maintenance Superintendent or designee.

8. Upon completion of work, the contractor obtains signature of a RIDOC staff member who escorted him/her or the Shift Commander on said contractor's work order. Contractor then calls the Facilities and Maintenance Office and leaves a voice mail message stating time of completion as well as facility and extension from which s/he is calling.

9. On the first working day following emergency call in, Facilities and Maintenance Office staff faxes a follow-up work order/contractor job request to the contractor. The DOC JOB# listed on this form must be cited on all invoices.

