



Bid Waiver Form

Revised 02/2023

Short Description of Goods/Services	Juvenile Education to Competency Services	Total Cost	\$150,000 (5 years)		
Vendor Name	Behavior Consultants, Inc.	MUNIS #	10197	Req #	
Purchasing Officer	Megan Rogan	Date	11/17/2023		
Department	Clerk of Courts	Email	carlo.esqueda@wicourts.gov		
Name	Carlo Esqueda	Phone	608-266-9116		

A VENDOR QUOTE MUST BE ATTACHED TO THE WAIVER FOR APPROVAL

Provide a detailed description of the goods/services intended to be purchased:

Behavioral Consultants, Inc. (BCI) ants, Inc. (BCI), is a service provider that routinely provides court-ordered competency remediation for adults with active/pending criminal court cases, via a contract with the Wisconsin Department of Health Services. When juvenile defendants in delinquency cases have these competency issues, BCI offers a Juvenile Competency Remediation Program (JCRP), which has been in operation for over a decade and serves courts across the state who refer juveniles for remediation services.

The services are directly provided by experienced masters level clinicians. Each juvenile referred for services undergoes an initial assessment to determine areas of strength and deficits that need remediation toward a goal of competency attainment. Each juvenile is assigned to one Behavioral Specialist who meets with the juvenile once or twice weekly - in their Milwaukee offices, in public spaces such as library conference rooms, etc. The Behavioral Specialists do not conduct services in the juvenile's family home, however. When a juvenile is in a group home, detention facility or other out-of-home placement, often services can be provided in that location. On occasion, services have also been provided via video conferencing, particularly due to safety precautions implemented in the wake of the COVID-19 pandemic. Remediation includes the use of videos, educational games, music, role playing, didactic instruction, etc. aimed at fostering the juvenile's factual and rational understanding of legal terms and concepts, familiarity with case-specific information, reasoning skills as a defendant in the juvenile justice system, etc. Behavioral Specialists also author three month progress summaries which are then made available to the doctor conducting the re-examination at the court's request. The program has a well-developed and broad set of resources that can be drawn upon depending upon the juvenile's deficits and interests.

Send to a Purchasing Officer Once Completed



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Procurement Exception List

- Emergency Procurement
- Unique and specific technical qualifications are required
- A special adaptation for a special purpose is required
- A unique or opportune buying condition exists
- Only one vendor possesses the unique and singularly available ability to meet the Department's requirements

Provide a detailed explanation as to why the competitive bidding (RFB/RFP) process cannot be used. Also provide a detailed justification in relation to the Procurement Exception(s) chosen:

Behavioral Consultants exclusively provide competency remediation treatment to adult defendants via a contract with the Wisconsin Department of Health Services. All judges in the State of Wisconsin exclusively refer defendants to treatment provided by BCI, and have come to rely upon their expertise and the results they provide. While the DHS contract with BCI does not include juvenile education to competency, their Behavioral Specialists have developed this specialized expertise under the auspices of their Juvenile Competency Remediation Program (JCRP), and judges hearing juvenile matters have come to rely upon BCI to the same measure as the judges hearing adult criminal cases.

Judges ordering juveniles into the JCRP do so because they have come to trust program outcomes. While there may be other services providers that may claim to be able to provide this service, their methodologies would inevitably vary from the program standards of the JCRP. Any juvenile judge would be wary of ordering a juvenile into a different program with a different service provider using an unfamiliar and untested methodology.

Bid Waiver Approval (For Purchasing Use Only)

Under \$43,000 (Controller)

\$43,000+ (Personnel & Finance Committee)

Date Approved:

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