

Notices regarding the solicitation “Consultant Statement of Work: Review and Revalidation of the Bureau of Prisons Needs Assessment System, Fiscal Year 2022”

January 6, 2022: NIJ has reopened this opportunity. The revised deadline is February 18, 2022.

November 1, 2021: The transcript and presentation from a webinar held on October 1, 2021, discussing this opportunity, are available. See <https://nij.ojp.gov/transcript-consultant-statement-work-review-and-revalidation-bureau-prisons-needs-assessment-system>

The original funding opportunity document begins on the next page.



National Institute of Justice

Consultant Statement of Work:

Review and Revalidation of the Bureau of
Prisons Needs Assessment System, Fiscal Year
2022

Release date: October 1, 2021

Response deadline: 11:59 p.m. eastern time on February 18, 2022

Timeline: To be determined after consultant selection.

Deadline: Submissions are due by 11:59 p.m. eastern time on February 18, 2022.

Webinar: A webinar will take place on Thursday, October 21, 2021, to provide details and guidance for potential consultants on this funding initiative. Sign up for the webinar here:
<https://ojp.webex.com/ojp/onstage/g.php?MTID=e853aaebcf76971fcd15f2063f0e03df3>

Budget: To be determined after consultant selection.

Purpose:

With this Statement of Work (SOW) and in collaboration with the Bureau of Prisons (BOP), the National Institute of Justice (NIJ) is seeking responses to support the annual review and validation of the BOP's needs assessment system, Standardized Prisoner Assessment for Reduction in Criminality (SPARC-13). This initiative supports Section 3631 of Title I of the [First Step Act \(FSA\) of 2018](#) and furthers the mission of the U.S. Department of Justice (DOJ) by supporting research to reduce crime and protect public safety.

Funding Initiative Background:

On December 21, 2018, Congress passed the FSA. Title I of the FSA focuses on reforms for reducing recidivism among the federal prison population. A key requirement of Title I is the development of a risk and needs assessment system (RNAS) for BOP.¹

On July 19, 2019, DOJ announced the development of a risk assessment tool designed to predict the likelihood of general and violent recidivism for all BOP incarcerated persons, the Prisoner Assessment Tool Targeting Estimated Risk and Needs (PATTERN).² As required by the FSA, PATTERN provides predictive models, or scales, developed and validated for males and females separately.³ PATTERN focuses solely on risk of recidivism and does not include an assessment of the criminogenic needs of federally incarcerated persons.

¹ Section 101 of the FSA requires the attorney general, in consultation with the Independent Review Committee, to develop and publicly release an RNAS that BOP will use to: determine the initial recidivism risk of each incarcerated person as part of the intake process and classify each as having minimum, low, medium, or high risk for recidivism; and reassess the recidivism risk of each incarcerated person periodically based on factors, including indicators of progress and regression, that are dynamic and that can reasonably be expected to change while in prison. Results from the RNAS will assist in BOP's determination of the appropriate type and amount of evidence-based recidivism reduction programming for each incarcerated person, assignment of each person to such programming accordingly, and their reassignment to appropriate evidence-based recidivism reduction programming or productive activities based on the person's specific criminogenic needs.

² PATTERN includes static factors (e.g., criminal history) and dynamic factors (e.g., participation in education or drug treatment) that are associated with either an increase or a reduction in risk of recidivism. For more information, see DOJ's 2019 report, [The First Step Act of 2018: Risk and Needs Assessment System](#).

³ Additional enhancements to PATTERN were announced in a [report](#) released by DOJ on January 15, 2020.

To accomplish the mandates set forth in Section 3631 of Title I of the FSA, the risk and needs assessment systems — PATTERN and SPARC-13 — must be reviewed and validated on an annual basis. With this SOW, NIJ will assist DOJ in completing the following tasks:

“... on an annual basis, review, validate, and release publicly on the Department of Justice website the risk and needs assessment system, which review shall include —

(A) any subsequent changes to the risk and needs assessment system made after the date of enactment of [the FSA];

(B) the recommendations developed under paragraph (2) [of 18 U.S.C. 3631], using the research conducted under paragraph (3);

(C) an evaluation to ensure that the risk and needs assessment system bases the assessment of each prisoner’s risk of recidivism on indicators of progress and of regression that are dynamic and that can reasonably be expected to change while in prison;

(D) statistical validation of any tools that the risk and needs assessment system uses; and

(E) an evaluation of the rates of recidivism among similarly classified prisoners to identify any unwarranted disparities, including disparities among similarly classified prisoners of different demographic groups, in such rates ...”

In Fiscal Year 2020, NIJ released a competitive funding opportunity to support the annual review and validation of PATTERN. The Department selected two independent consultants to review and validate the risk assessment tool. The individual or team of individuals selected under this SOW to complete the annual review and validation of SPARC-13 will work in parallel with the PATTERN team to meet the Title I mandate.

Overview of BOP’s Needs Assessment System:

BOP assesses individual needs as part of the intake assessment, with reassessment occurring at least semi-annually throughout a person’s term of incarceration. Staff meet with those who are incarcerated to discuss assessment findings with regard to criminogenic and/or other needs. From these discussions, those who are incarcerated are referred to appropriate programs.

BOP currently assesses 13 needs, 12 of which were identified and assessed pre-FSA. The thirteenth need, dyslexia, is statutorily required by the FSA to be included in BOP's needs assessment process.⁴ The BOP need areas currently being assessed are:⁵

- Anger/Hostility
- Antisocial Peers
- Cognitions
- Education
- Dyslexia
- Family/Parenting
- Finance/Poverty
- Medical
- Mental Health
- Recreation/Leisure/Fitness
- Substance Abuse
- Trauma
- Work

SOW Request:

NIJ requests innovative responses from consultants who will review and validate BOP's needs assessment system on an annual basis for at least three years, beginning in calendar year 2022. Successful consultants will be expected to assist DOJ in completing tasks specified in Section 3631, in coordination with NIJ and BOP.

Successful consultants will be subject to and must pass a required background investigation in order to access data required to complete the annual review and validation of the needs assessment system.⁶ Access to data shall be limited to the minimum number of persons necessary. NIJ and BOP will collaborate with the successful consultants in order to provide access to relevant administrative and programmatic data and information required for the analysis and assessment for the annual review and validation of BOP's needs assessment system.

Background investigations can take approximately two to four months to complete. When developing a project management plan, consultants should include approximately two to four months in order to complete the requirements of, and assure the receipt of, an approved background investigation.

⁴ See Section 3632 of the FSA: "(h) DYSLEXIA SCREENING.— (1) SCREENING.—The Attorney General shall incorporate a dyslexia screening program into the System, including by screening for dyslexia during— (A) the intake process; and (B) each periodic risk reassessment of a prisoner. (2) TREATMENT.—The Attorney General shall incorporate programs designed to treat dyslexia into the evidence-based recidivism reduction programs or productive activities required to be implemented under this section. The Attorney General may also incorporate programs designed to treat other learning disabilities."

⁵ For more information about BOP's needs assessment system, see the following reports: https://www.bop.gov/inmates/fsa/docs/bop_current_needs_assessment_tools.pdf (August 2019) and https://www.bop.gov/inmates/fsa/docs/fsa_needs_assessment.pdf (August 2020 update).

⁶ The successful consultants will be provided access to administrative data from BOP and criminal history data as, and if needed, to complete the annual review and validation of BOP's needs assessment system. Only those persons with requisite clearances can access project data. If the consultant plans to hire support staff, a background investigation will be required for support staff members who will have or need access to project data. Access should be limited to key staff only.

In collaboration with NIJ and BOP, the successful consultants will determine the sample and data to be used for the review and validation of BOP's needs assessment process. They will work collaboratively to finalize the analytic plan for the review and validation. Due to the ongoing implementation of the FSA, the analytic plan may be subject to change as data become available.

The consultants supported under this initiative will communicate with NIJ staff to assure that all tasks and deliverables are suitably documented, monitored, and fulfilled. They will be responsible for responding to FSA- and project-related inquiries. The consultants will be expected to meet with NIJ and BOP staff on a regular basis and/or as requested — either in-person, via videoconference, or by phone — and to provide regular updates on project progress. These updates (whose frequency will be determined by NIJ staff in consultation with BOP and the successful consultants) may include information on progress made toward the completion of the FSA mandate. Travel to Washington, D.C. may occur on an as needed basis.

Deliverable Requirements:

Respondents should include plans to address all aspects of the FSA needs assessment mandate, including but not limited to, assisting DOJ in the preparation of an annual report to Congress. Required information describing the review and validation of the needs assessment process and subsequent findings will be provided by NIJ.⁷

The successful consultants supported under this initiative will assist NIJ and BOP in planning for the development and dissemination of the annual report to Congress. Should the successful consultants have recommendations for potential changes to BOP's needs assessment process, they will be provided to NIJ for submission to and review by the attorney general as part of the annual review and validation process.⁸

The consultants supported under this initiative will be prohibited from making public any information related to the review and validation of BOP's needs assessment process. Doing so would be a violation of the contractual agreement between the consultants and NIJ.

Other project deliverables:

Consultants will deliver quarterly progress reports to CSR. The reporting format will be provided to successful consultants.

⁷ Reports required by the FSA will be reviewed by NIJ, BOP, and other DOJ agencies before the public release of any information.

⁸ Until such time that the attorney general determines that potential recommendations are appropriate, any such recommendations will be considered strictly confidential and not for public dissemination. Any release of such recommendations will be made solely by and at the discretion of DOJ.

Eligibility Requirements:

NIJ expects to support multiple consultants resulting from separate response submissions. The consultants will work as a team to address the FSA mandates.

With this initiative, NIJ will support only qualified individuals who can serve as independent consultants. Each response may only include one consultant. **Responses may not include a team of consultants.**

The consultant may propose to hire support staff, for example a research assistant, as needed. The intent to hire support staff should be included in the consultant's proposal. Requests to hire support staff after the submission of a proposal may not be considered by NIJ. In this case, the eligibility requirement — qualified individuals — still applies. Successful respondents, performing as independent consultants, may not claim reimbursement through an established company or organization. Consultants will receive 1099 forms each year. Specific budget instructions will be provided to successful respondents.

At a minimum, applicants should have a Ph.D. in psychology, education, criminal justice, criminology, social or behavioral sciences, public health, or similar discipline from an institution accredited by one of the regional institutional accreditation agencies recognized by the U.S. Secretary of Education. Experience using social science methods and statistics in a policy context or in research is required. Additionally, applicants are required to demonstrate knowledge of providing programs or services in corrections, the assessment of criminogenic needs, gender and special populations issues, and knowledge about the federal incarcerated persons population.

The following entities are not eligible for support under this funding initiative and will be removed from competition:

- Small businesses
- States (including territories)
- Units of local government
- Federally recognized Indian tribal governments that perform law enforcement functions (as determined by the secretary of the interior)
- Nonprofit and for-profit organizations (including tribal nonprofit and for-profit organizations)
- Consulting firms
- Institutions of higher education (including tribal institutions of higher education)
- Any staff identified in the [2020 Report to Congress](#) as key staff, including NIJ contractors and members of the Independent Review Committee

Responses that include more than one consultant will be considered by NIJ as noncompliant and will not move forward to the review process.

How to Apply:

To be considered timely, a submission must be emailed by the deadline to the following email address: fsaneedsassessment@bixal.com. Late submissions will not be accepted.

Submission Information:

This section details what a submission should include:

- Title page: not counted against the 25-page narrative limit.
- Table of Contents and Figures: not counted against the 25-page narrative limit.
- Abstract: no more than 400 words describing the core elements of the proposed review and validation of BOP's needs assessment process.
- Narrative: should not exceed 25 double-spaced pages in 12-point font with 1-inch margins. If included in the main body of the narrative, tables, charts, figures, and other illustrations count toward the 25-page limit for the narrative section. The project abstract, table of contents, and appendices do not count toward the 25-page limit.

Responses that fail to comply with these length-related restrictions will not receive further consideration:

- The narrative should describe the proposed project in depth. The following sections should be included as part of the program narrative:
 - **Statement of the Problem.** The statement of the problem should briefly address the problem to be addressed as required by the FSA.
 - **Project Design and Implementation.** Consultants should provide a detailed description of the analytic strategies to be used to conduct the review and validation of BOP's needs assessment process and to address the mandates in Title I (see page 2). Consultants should describe the research methodology in detail and demonstrate the validity and usefulness of the analytic strategy. Consultants should consider the rigor and soundness of the methodology and analytical and technical approaches for the proposed research and address the feasibility of the proposed project and potential challenges or problems in carrying out the activities.
 - **Potential Impact.** Consultants should describe the potential impact of their research and how it may inform or improve BOP's needs assessment system.

The discussion of impact should include a discussion of the deliverables required by NIJ, including the provision of project updates to NIJ, BOP, and DOJ.

- **Capabilities/Competencies.** This section should describe the experience and capability of the consultant (and of support staff, if applicable) that the consultant will use to implement and manage this effort, highlighting any previous experience implementing projects of similar scope, design, and magnitude. Consultants should address:
 - Education requirements, research experience, and corrections knowledge as noted above.
 - Experience and expertise in developing and implementing needs assessments.
 - Experience and expertise in the review and validation of needs assessment systems.
 - Experience in and capacity to work with the proposed data sources in the conduct of similar research efforts.
 - Experience in and capacity to design and implement rigorous research and data analysis projects.
 - Experience producing meaningful deliverables.
- Appendices:
 - Bibliography/references.
 - Any tools/instruments, questionnaires, tables/charts/graphs, or maps pertaining to the response that are supplemental to such items included in the main body of the narrative.
 - List of additional support staff, if and as needed.
 - Curriculum vitae or resume of the consultant, and of any and all support staff who will be significantly involved in substantive aspects of the proposed project (including, for example, statisticians hired to conduct proposed data analysis), if applicable.
 - List of any previous and current NIJ awards, including but not limited to, consulting agreements, grants, cooperative agreements, and/or contracts made to the consultant, including the NIJ-assigned number(s). This list should include a description of the roles and responsibilities of the consultant on each NIJ award and a brief description of any scholarly products that resulted in whole or in part from work funded under the NIJ award(s).
 - Project management plan. Consultants should outline the activities and timeline necessary for meeting the goals and objectives of this project.

- Research and evaluation independence and integrity statement. The consultant must demonstrate research/evaluation independence and integrity, including appropriate safeguards. The consultant must demonstrate independence and integrity regarding both this proposed research and/or evaluation, and any current or prior related projects.

For purposes of this initiative, the proposed consultant is to document research and evaluation independence and integrity by including one of the following two items:

- (a) A specific assurance that the consultant has reviewed its submission to identify any actual or potential apparent conflicts of interest (including thorough review of pertinent information on the consultant and any staff), and that the consultant has identified no such conflicts of interest — whether personal, financial, or organizational (including on the part of the consultant entity or on the part of staff) — that could affect the independence or integrity of the research, including the design, conduct, and reporting of the research.

OR

- (b) A specific description of actual or potential apparent conflicts of interest that the consultant has identified that could affect the independence or integrity of the research, including the design, conduct, or reporting of the research. These conflicts may be personal (e.g., on the part of the consultant or other staff), financial, or organizational (related to the consultant). An example of a consultant (or other personal) conflict of interest is one in which a consultant would be in a position to evaluate a spouse's work product (actual conflict), or to evaluate the work of a former or current colleague (potential apparent conflict). With regard to potential organizational conflicts of interest, as one example, generally an organization would not be given an award to evaluate a project if that organization had itself provided substantial, prior technical assistance to that specific project or a location implementing the project (whether funded by OJP or other sources), because the organization, in such an instance, might appear to be evaluating the effectiveness of its own prior work. The key is whether a reasonable person understanding all of the facts would be able to have confidence that the results of any research or

evaluation project are objective and reliable. Any outside personal or financial interest that casts doubt on the objectivity and reliability of an evaluation or research product is a problem and must be disclosed.

In addition, for purposes of this initiative, the consultant is to address possible mitigation of research integrity concerns in one of the following two ways, at a minimum:

- (a) If the consultant reasonably believes that no actual or potential apparent conflicts of interest (personal, financial, or organizational) exist, then the consultant should provide a brief narrative explanation of how and why it reached that conclusion. The consultant should also include an explanation of the specific processes and procedures that the consultant has in place, or will put in place, to identify and prevent (or, at the very least, mitigate) any such conflicts of interest pertinent to the funded project during the period of performance. There is no guarantee that the plan, if any, will be accepted as proposed.

OR

- (b) If the consultant has identified actual or potential apparent conflicts of interest (personal, financial, or organizational) that could affect the independence and integrity of the research, including the design, conduct, or reporting of research findings, the consultant is to provide a specific and robust mitigation plan to address each of those conflicts. There is no guarantee that the plan, if any, will be accepted as proposed.

NIJ will assess research and evaluation independence and integrity based on considerations such as the adequacy of the consultant's efforts to identify factors that could affect the objectivity or integrity of the proposed staff in carrying out the research, development, or evaluation activity; and the adequacy of the consultant's existing or proposed remedies to control any such factors.

At a minimum, and in order to receive full consideration, the following items must be submitted by the deadline. These items are critical and must be included in a consultant's formal response to this SOW. The items are:

- Narrative
- Curriculum vitae or resume (of consultant and support staff, as needed)
- List of additional support staff
- List of any previous and current NIJ awards to the consultant
- Research and evaluation independence and integrity statement

Additionally, the respondent must meet the eligibility requirements provided on pages 4 and 5.

Responses that fail to comply with the length-related restrictions provided above, and do not include the critical materials requested here, will not receive further consideration.

Submission File Types:

Submissions should be sent to as either a PDF or Word (.doc) file.

Response Review Information:

Review Criteria

Responses that meet the guidelines specified above will be evaluated by independent external reviewers using the following review criteria. Each individual criterion is assigned a weight based on the percentage value listed.

Statement of the Problem (Understanding of the problem, research questions, and their importance) — 10%

1. Demonstrated understanding of the problem.
2. Demonstrated importance of research questions, goals, and objectives, including alignment with the aims of the funding initiative.
3. Demonstrated awareness of the state of current research.

Project Design and Implementation (Quality and technical merit) — 60%

1. Soundness of methods and analytic and technical approach to addressing the stated aim(s) of the proposed project.
2. Feasibility of proposed project.
3. Awareness of potential pitfalls of proposed project design and feasibility of proposed actions to minimize and/or mitigate them.
4. Feasibility of completing the deliverables required by the FSA.

Potential Impact — 5%

Potential for significant scientific or technical advances that will improve criminal justice in the United States, such as:

- Significantly improved understanding of the stated criminal/juvenile justice problem.
- An innovative solution for addressing all, or a significant part of, the stated criminal/juvenile justice problem.

Capabilities/Competencies (Capabilities, demonstrated productivity, and experience of the consultant and proposed support staff) — 25%

1. Qualifications and experience of proposed consultant (and, if applicable, of other relevant support staff identified in the response who will be significantly involved in substantive aspects of the proposed project).
2. Demonstrated ability of the consultant to implement the proposed strategies and manage the effort.
3. Relationship between the capabilities/competencies of the proposed consultant and other relevant support staff (if applicable) and the scope, goals, and strategies of the proposed project.

Review Process:

NIJ is committed to ensuring a fair and open process for making final consultant appointments. NIJ will consult with independent, external experts to review consultant responses and evaluate whether the information presented in the responses is reasonable, understandable, measurable, and achievable, as well as consistent with the initiative’s written requirements.

Contact Information:

Consultant responses should be submitted via email to fsaneedsassessment@bixal.com. To be considered timely, a response must be submitted by the deadline, no exceptions.

For assistance Monday through Friday from 8:00 a.m. to 6:00 p.m. eastern time, send an email to fsaneedsassessment@bixal.com. Answers to frequently asked questions will be posted on the NIJ website.