

**DETERMINATION AND FINDINGS
FOR A
SOLE SOURCE PROCUREMENT**

Agency: Department on Disability Services (DDS)

Contract No.: DCJM-2015- RQ870167

Caption: Psychiatric Consulting Services

Contractor: Ronald J. Koshes, M.D.

FINDINGS

1. Authorization:

D.C. Official Code § 4-404(b), 27 DCMR §§ 1802.7 and 1702.

2. Minimum Need:

The Department on Disability Services Development Disabilities Administration (DDS/DDA) requires the immediate services of a Board Certified Psychiatrist with a minimum of five years of experience providing community-based services to individuals with intellectual and developmental disabilities.

The Contractor shall have experience working in the context of a class action lawsuit, be familiar with the issues surrounding the more than 35-year old case of Evans v. Gray, and shall have credibility with and be acceptable to the plaintiffs, Court Monitor, Independent Compliance Administrator and other Evans stakeholders.

The contractor shall provide clinical consultation to DDA on the treatment of specific individuals, be immediately available to conduct psychiatric medication reviews, participate as a member of the DDA Restrictive Control Review Committee (DDA-RCRC), and provide selected training and other technical assistance at the request of DDA for a one-year period.

3. Estimated Fair and Reasonable Price:

The estimated annual price is \$83,125.00 based upon 266 hours at the contractor's established hourly rate of \$312.50 for professional services. The rate includes preparation, travel time, all indirect costs and fees, and is deemed fair and reasonable considering the unique qualifications of Ronald J. Koshes

4. Facts that Justify Sole Source Procurement:

Dr. Ronald J. Koshes (Dr. Koshes) is a Diplomate of the American Board of Psychiatry and Neurology and Distinguished Fellow of the American Psychiatric Association, certified as having advanced training and experience in the practice of Psychiatry followed by passing an intensive examination by a national board of senior specialists.

Dr. Koshes has over 20 years of experience providing community-based services to individuals with intellectual and developmental disabilities, is experienced working in the context of a class action lawsuit, and is familiar with the issues surrounding the case of

Evans v. Gray, which is nearing conclusion. For the past six years, Dr. Koshes has been a key consultant to the District of Columbia Health Care Resources Partnership under the Georgetown University Center for Child and Human Development. He therefore has the credibility and is acceptable to the plaintiffs, Court Monitor, Independent Compliance Administrator and other Evans stakeholders.

Dr. Koshes has provided clinical consultation to DDA on the treatment of specific individuals, conducted psychiatric medication reviews, participated as a member of the DDA restrictive control review committee, and provided selected training and other technical assistance at the request of DDA.

A notice of intent to award a sole source contract to Dr. Koshes was posted to the Office of Contracting and Procurement website on October 8, 2014. After posting for ten days, no other contractor has challenged the notice. Based upon these results, it is determined there is no other contractor who meets all of the requirements known to DDS nor are there other sources reasonably available to perform the required services within the time period needed. In addition, the award of these services to Dr. Koshes would offer continuity and minimize the risk associated with briefing new counsel in these matters.

Dr. Koshes has been qualified in tax compliance by the Office of Tax and Revenue and the Department of Employment Services on October 6, 2014. These show that he does not have an outstanding debt with the District or the federal government in delinquent status.

Dr. Koshes is not debarred or suspended from Federal or District procurements, based on searches of the District Office of Contracting and Procurement (OCP) excluded parties list, System for Award Management (SAM) database, and Office of the Inspector General of the U.S. Department of Health and Human Services database conducted on October 3, 2014.

5. Performance:

The period of performance shall be for one (1) year from date of award.

6. Certification by Director:

I hereby certify that the above findings are true, correct, and complete to the best of my knowledge.

Laura L. Nuss, DDS Director

Date

DETERMINATION

Based on the findings and certifications set forth, I hereby determine that the sole source method of procurement is justified for the time period stated.

Janice Parker Watson, DDS Chief Contracting Officer

Date