



**State of Oklahoma  
Office of Management and Enterprise Services  
Central Purchasing Division**

Type 2

**Sole Source or Sole Brand  
Acquisition Certification**  
74 O.S. § 8 **Signature on file**

Acquisition Type (check one):  Sole Source  Sole Brand

State Agency: Department of Corrections

Supplier Name: American Correctional Association

Supplier Address: 206 N Washington St, Suite 200

Supplier Telephone: Alexandria, VA 22314 Supplier E-mail: \_\_\_\_\_

I hereby affirm that pursuant to the provisions of the attached requisition or contract that (name of supplier) American Correctional Association is the only person or business entity singularly qualified to provide the acquisition, and if a product is the only brand or product which is unique, for the following reasons:

True Public Exigency (or Emergency) exists. • Expedient action is necessary to ensure that Oklahoma Department of Corrections' (ODOC) facilities are compliant with PREA helps insure that our offenders will not be victims of sexual misconduct. • Based upon the report compiled by the Bureau of Justice Statistics in 2012 concerning the high level of PREA incidents at Mable Bassett Correctional Center (MBCC) and the fact that the Director and Warden of MBCC were required to give testimony before the DOJ Prison Rape Panel, there were concerns that the agency needed to take immediate action to correct any deficiencies that may have existed at facilities state-wide regarding PREA compliance.

\*\*\*SEE ATTACHED SHEET FOR ADDITIONAL JUSTIFICATION\*\*\*

The following is a brief description of all efforts which were made to verify that the services or products to be purchased pursuant to the provisions of the attached requisition or contract qualify as a sole source or sole brand acquisition:

Due to the recent establishment of PREA auditing of state and federal correctional centers, there are limited resources and inadequate competition.

I understand that the signing of this certification knowing such information to be false may subject me to punishment for perjury. **Signature on file**

\_\_\_\_\_  
Chief Administrative Officer Signature      ROBERT PATTON      \_\_\_\_\_  
Chief Administrative Officer Name (PRINT)      Date

Additional Signatures for Requisitioning Agency, if necessary:

\_\_\_\_\_  
[Type Title] Signature & Date      \_\_\_\_\_  
[Type Title] Signature & Date

## ATTACHMENT

- Sole Source – ACA PREA Audits
- True Public Exigency (or Emergency) exists (continued)
  - The report referenced above raised concerns regarding the safety of ODOC offenders, and the agency needed assurances that the actions taken to address PREA compliance were in accordance with the PREA standards.
  - PREA Audits assure that our facilities adhere to PREA standards that are designed to eliminate/reduce incidents of sexual misconduct in our prisons.
  - The results of PREA Audits may require immediate action, (i.e. separating juvenile offenders in our custody from adult offenders) and said action may require the agency to request additional funding from the Legislature in order to gain compliance within the time frames designated by the Governor, (2/3 of all facilities are to be audited and in compliance by June 30, 2015).
  - The ODOC is required to update the Governor regarding compliance with PREA by May of each year in order for the Governor to communicate to the U.S. Attorney General the status of our compliance, which affects federal funding/grants.
- Inadequate Competition
  - ACA is likely to require future PREA compliance in order to be ACA accredited; therefore, ACA PREA Audits provide the ODOC a service that no other entity is able to provide.
  - The ACA is a long standing correctional accrediting entity, whose history as an impartial “third-party” to evaluation of adult correctional best practices and standard setting is unprecedented in the nation, and as the agency has to provide the Governor with assurances of our compliance, the agency needs to be confident that the audits finding us in compliance are backed by an entity with years of correctional evaluation experience.
  - Following the completion of the initial facility PREA audits, the agency will combine ACA accreditation audits with ACA PREA Audits, which would save the state money.



# Purchase Order

Dispatch via Print

**Department of Corrections**  
DEPARTMENT OF CORRECTIONS  
3400 MARTIN LUTHER KING AVE  
OKLAHOMA CITY OK 731360400

**Vendor:** 0000012897  
AMERICAN CORRECTIONAL ASSOCIATION  
PO BOX 630171  
BALTIMORE MD 21263-2171

<b>Purchase Order</b> 1319060024	<b>Date</b> 11/20/2014	<b>Revision</b>	<b>Page</b> 1
<b>Payment Terms</b> 0 Days	<b>Freight Terms</b> Free on board at Destination		<b>Ship Via</b> Common
<b>Buyer</b> David Williams	<b>Phone</b> 405/425-2636		<b>Currency</b> USD

**Ship To:** DEPARTMENT OF CORRECTIONS  
ADMINISTRATION  
3400 N. MARTIN LUTHER KING AVE  
OKLAHOMA CITY OK 731360400

**Bill To:** DEPARTMENT OF CORRECTIONS  
ADMINISTRATION  
3400 N. MARTIN LUTHER KING AVE  
OKLAHOMA CITY OK 731360400

**Tax Exempt?** Y      **Tax Exempt ID:** 736017987

Line-Sch	Cat CD / Item Id	Description	Quantity	UOM	PO Price	Extended Amt	Due Date
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1- 1	94101500 / 1000022195	SERVICE: American Correctional Association (ACA) Accreditation Audit Services	1.0000	EA	11,000.0000	11,000.00	11/20/2014
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ACA PREA COMPLIANCE DOUBLE AUDIT FEE OF \$11,000 FOR THE FOLLOWING:  
NORTHEAST OKLAHOMA CORRECTIONAL CENTER FROM 12/08/14 THRU 12/10/14  
AND  
DR. EDDIE WARRIOR CORRECTIONAL CENTER FROM 12/10/14 THRU 12/12/14.  
FUNDED BY: 515400 6060100 19530

2- 1	94101500 / 1000022195	SERVICE: American Correctional Association (ACA) Accreditation Audit Services	1.0000	EA	6,000.0000	6,000.00	11/20/2014
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ACA PREA COMPLIANCE AUDIT FEE OF \$6,000 FOR THE FOLLOWING:  
BILL JOHNSON CORRECTIONAL CENTER FROM 12/01/14 THRU 12/03/14  
FUNDED BY: 515400 6060100 19530

3- 1	94101500 / 1000022195	SERVICE: American Correctional Association (ACA) Accreditation Audit Services	1.0000	EA	11,000.0000	11,000.00	11/20/2014
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ACA PREA COMPLIANCE DOUBLE AUDIT FEE OF \$11,000 FOR THE FOLLOWING:  
MABEL BASSETT CORRECTIONAL CENTER FROM 12/15/14 THRU 12/17/14  
AND  
KATE BARNARD COMMUNITY CORRECTIONS CENTER FROM 12/17/14 THRU 12/19/14.  
FUNDED BY: 515400 6060100 19530

**Total PO Amount**      28,000.00

**COMMENTS:**  
CONTRACT PERIOD 12/01/2014 TO 06/30/2015

# Signature on file



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{NO REFERENCE PURCHASE ORDERS}

VENDOR ID # 0000012897 LOCATION #0001  
AMERICAN CORRECTIONAL ASSOC.  
206 N WASHINGTON ST, SUITE #200  
ALEXANDRIA, VA 22314  
PHONE: 800-222-5646 FAX 703-224-0054

**AGENCY PREA COORDINATOR CONTACT INFORMATION:**

MILLICENT NEWTON-EMBRY, PREA COORDINATOR  
PH: (405) 425-7074 FAX: (405) 425-7259  
E-MAIL: MILLICENT.NEWTON-EMBRY@DOC.STATE.OK.US

**BUSINESS SERVICES CONTACT INFORMATION:**

ANTWONETTE KIMBLE, BUSINESS MANAGER  
PH: (405) 425-7131 FAX: (405) 425-7156  
E-MAIL: ANTWONETTE.KIMBLE@DOC.STATE.OK.US

**JUSTIFICATION:**

1. DEFINITION OF THE REQUIREMENT: What are we buying? ACA PRISON RAPE ELIMINATION ACT COMPLIANCE AUDITS FOR DEPT. OF CORRECTIONS FACILITIES-BILL JOHNSON CC, MABEL BASSETT CC, EDDIE WARRIOR CC, NORTHEAST OKLAHOMA CC, AND KATE BARNARD CCC.

2. ANALYSIS OF EXISTING AGENCY RESOURCES: Is this requirement available elsewhere in the agency? NOT AVAILABLE WITHIN THE AGENCY

3. OBJECTIVE OF THE ACQUISITION: Why do we need to buy this? TO ENSURE COMPLIANCE PER 28 C.F.R. STATE STATUTE 115.401-05

4. EVALUATION OF THE PROCUREMENT METHOD: What procurement method will be used to acquire this? OPEN MARKET

5. DEVELOPMENT OF SPECIFICATIONS: If bidding, are specs non-restrictive to maximize reasonable competition? N/A

6. PERTINENT INFORMATION: List any other information needed to support the acquisition. N/A

7. LABOR: N/A

8. TOTAL PROJECT: N/A

**SERVICE JUSTIFICATION:**

The State Official signing this requisition affirms any contract resulting from this request shall comply with the following:

A. No employee of the state agency is able and available to perform the services to be provided pursuant to the contract.

Signature on file



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B. The state agency shall receive, review and accept a detailed work plan from the supplier for performance pursuant to the contract if requested by the State Purchasing Director.

C. The state agency has developed, and fully intends to implement, a written plan providing for the assignment of specific state agency personnel to:

- 1) Monitoring and auditing supplier performance,
- 2) The periodic review of interim reports, or other indications of performance, and
- 3) If requested by the State Purchasing Director, the ultimate utilization of the final product of the nonprofessional or professional services.

D. The work to be performed under the contract is necessary to the state agency's responsibilities, and there is statutory authority to enter into the contract.

E. The contract will not establish an employment relationship between the state or the state agency and any persons performing under the contract.

F. No current state employee will engage in the performance of the contract, unless specifically approved by the State Purchasing Director.

G. The purchase of the nonprofessional or professional services is justified, and

H. The contract contains provisions that are required by 74 O.S. Section 85.41.

**NOTE:**

This requisition for services, in accordance with 74 O.S. Section 85.4.E.1, must be signed by the Chief Administrative Officer of the State agency or the Chief Administrative Officer of the requisitioning unit.

**NOTICE TO VENDORS:**

**Offender Contact:** Contractor's employees, agents, and representatives shall minimize interaction with offenders or patients, and shall report any verbal contact to DOC facility security staff before leaving the site.

**Subject to Search:** All persons, vehicles, packages and equipment entering a DOC facility are subject to search.

**Contraband:** Contractor's employees, agents, and representatives shall not have any weapons, tobacco products or any item deemed by facility to be potential contraband.

**Tobacco Use Prohibited.** The use of tobacco products is prohibited throughout all indoor and outdoor areas of property owned, leased, loaned or under the control of DOC, including parking lots owned or under the control of DOC.

FUNDED BY: FY15 515400 19530 6060100

Signature on file