



**TETRA TECH**

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**Addendum**

Delaware Department of Correction  
Sussex Correctional Institution  
Project Name: JT VAUGHN CORRECTIONAL CENTER BUILDING "Y" - ROOF REPLACEMENT  
OMB/DFM/DOC Contract No: MJ3804000027

Tt Project No.: 16096-12023 / 200-01291-13022

Addendum No. 01  
to  
Drawings and Project Manual

July 22, 2016

To: ALL BIDDERS

This ADDENDUM forms a part of the BIDDING AND CONTRACT DOCUMENTS and modifies the following documents:

Original DRAWINGS dated July 12, 2016

PROJECT MANUAL dated July 12, 2016.

Acknowledge receipt of the ADDENDUM in the space provided on the FORM OF PROPOSAL

This ADDENDUM consists of two (2) pages and the following:

**GENERAL CLARIFICATIONS**

ITEM 1-C-1: Item number 22 form Pre-bid Information – Agenda which notes “Contractors shall not bring glass containers into the Facility.” Shall be changed to read: “Contractors shall not bring glass containers into the Facility. No alcohol or tobacco products in any form are allowed on the Project site and shall include all products associated with Electronic Cigarettes or Vaporizers.. Guns or firearms are prohibited on the Project site and in what the facility considers its secure perimeter.”

**CLARIFICATIONS FROM PRE-BID MEETING**

ITEM 1-C-2: The attached Pre-bid Information – Agenda was reviewed and the following information was discussed in the July 12, 2016 MANDATORY PRE-BID MEETING:

ITEM 1-C-3: See the attached Pre-Bid Meeting Sign in Sheet for attendees.

ITEM 1-C-4: The Bid Form – Subcontractor List was reviewed and agreed that the following Sub-Contractors would be added: Mechanical, Plumbing, and Electrical. See attached new Bid Form – Subcontractor List page.

ITEM 1-C-5: The Pre-Bid walk-through for this project is scheduled for Wednesday, August 3, 2016 at 10:00am. Kerry Wareham from the State of Delaware OMB/DFM shall provide security form by e-mail (see attached) to all contractors for James T. Vaughn Correctional Center. It was requested that all contractors complete the form and must have their security clearance applications submitted by email directly to Ernest Kulhanek at [ernest.kulhanek@state.de.us](mailto:ernest.kulhanek@state.de.us) by Wednesday, August 20, 2016, close of business, to allow time for the security clearance process. In addition, provide Mark Reynolds and Kerry Wareham the list of employees you plan on having attend the site visit by August 1<sup>st</sup>. All contractors are to report to the Maintenance Building. If you are not there by 10:00am, you will not be permitted in.

- ITEM 1-C-6: The Project's Schedule of Values shall not be required at Bid submission, but shall be required by the winning Contractor as defined in the Project Manual.
- ITEM 1-C-7: The winning Contractor shall be required to fill out the new version of the State of Delaware "Security Clearance Application – Delaware Department of Correction", which will be provided at the Pre-construction meeting. The Project's winning bidder will need to submit one form (all 6 pages) for each person (contractor's crew members, sub-contractors, manufacturer's representatives, etc.) who will need access to the Project site. This is a different form and it is recommended that everyone fill it out. All forms shall be submitted to Ernest Kulhanek at [ernest.kulhanek@state.de.us](mailto:ernest.kulhanek@state.de.us).
- ITEM 1-C-8: Contractors and each of their Sub-contractors are required by the State of Delaware, as of the beginning of this year to have a Drug Testing Program that must comply with the State of Delaware's requirements. The Contractors and each of their Sub-contractors shall sign separate copies of the Bid Form – Affidavit of Employee Drug Testing Program in acknowledgement, which shall be submitted with the Bid Forms at the time of Bid Openings. Contractors shall make sure all blanks have been filled in completely.
- ITEM 1-C-9: The approximate start will be October 2016, but the final start date shall be confirmed with DOC / JTVCC facility.
- ITEM 1-C-10: Dean Seely (DFM) noted that if you list a Subcontractor on the Subcontractor List in the Bid Form, they must be used to complete the work or there is a chance the Prime Contractor could be penalized up to Ten Thousand Dollars (\$10,000.00).
- ITEM 1-C-11: Mark Reynolds (Tt) reminded Contractor's that anything they believe to be extra work that a Change Order must be approved before doing the work. The Architect and DFM will review and if there are monies left in the Allowance could approve the use of those funds through an Allowance Access Authorization Form. Assume the shortest turn around response of three (3) days.
- ITEM 1-C-12: Dean Seely (DFM) noted that only the Prime Contractor shall be required to submit a copy of their Business Licenses.
- ITEM 1-C-13: Dean Seely (DFM) stated that this work shall be within a prison facility and that all contractors shall follow the facility's rules.
- ITEM 1-C-14: Dean Seely (DFM) explained that the Contractor awarded the Project shall be required to receive Prison Rape Elimination Act (PREA) training, security briefing and regulations prior to beginning work within the facility's fence line.
- ITEM 1-C-15: The facility is expected to be Asbestos free. If hazardous materials are found the Contractor shall notify the Architect immediately and follow procedures found in the Project Manual.

#### **CHANGES TO PROJECT MANUAL**

NONE.

#### **CHANGES TO DRAWINGS**

NONE.

#### **ATTACHMENTS**

PRE-BID INFORMATION - AGENDA  
BID FORM - SUBCONTRACTOR LIST PAGE.  
PRE-BID MEETING SIGN IN SHEET  
BID DOCUMENT REGISTER  
2016 SECURITY CLEARANCE APPLICATION

**END OF ADDENDUM No. 01**



## **Pre-Bid Information**

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Meeting Date: Tuesday, July 12, 2016 @ 1:30 p.m.

Prepared By: Mark Reynolds

Tt Project No.: 16096-12023 / 200-01291-13022 JT Vaughn Correctional Center Building "Y" -  
Roof Replacement / MJ3804000027

Regarding: General Pre-Bid Information - Agenda

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### **Item Number**

### **Item**

1. Project consists of removing the existing roofing systems to deck, installing tapered insulation with a 2 ply modified mineral surfaced built-up roof system. Install new perimeter and projection flashings, new edge metal and replace all interior drains. Project will be constructed under a single prime contract.
2. This is a mandatory Pre-Bid Meeting and Bidders are limited to those in attendance that are prequalified.
3. Project documents can be purchased at Tetra Tech's office for a non-refundable handling fee of \$100 per set.
4. Sealed bids for this project will be received by the State of Delaware, Office of Management and Budget, Division of Facilities Management, at the Thomas Collins Building, 540 S. DuPont Highway, Suite 1 (Third Floor), Dover, DE 19901 until 2:00 p.m. local time on Thursday, August 18, 2016, at which time they will be publicly opened and read aloud. Bidder bears the risk of late delivery. Any bids received after the stated time will be returned unopened.
5. The Wage Rates for this project shall be as determined by the Delaware Department of Labor and Division of Industrial Affairs for New Castle County. A certified copy has been included in the Project Manual. However, Contractors are responsible to contact the Delaware Department of Labor to receive verification of the most current Wage Rate Scale. Change order requests will be based upon these rates and the actual number of hours required to complete the work.
6. Only plan holders who purchased bid document sets from Tetra Tech will receive the ADDENDAS.
7. All discrepancies, questions or requests for clarifications or interpretations must be submitted to the Architects office at least seven (7) days prior to bid due date. Submit e-mails to Mr. Mark Reynolds' attention at [mark.reynolds@tetrattech.com](mailto:mark.reynolds@tetrattech.com)
8. Insurance requirements are listed in Section 00 81 13 General Contracting Requirements
9. Contractor must list themselves as the Subcontractor for all work which they propose to accomplish. All subcontractors doing work on this project will need to be listed on the bid form.

10. A Bid Security, in the amount of ten percent (10%) of the total amount of the Base Bid plus all additive alternates is required.
11. No Addenda will be issued later than four (4) days prior to the date for receipt of Bids except an Addendum withdrawing the request for Bids or one which extends the time or changes the location for the opening of bids.
12. Each Bidder shall ascertain prior to submitting their Bid that they have received all Addenda issued, and shall acknowledge their receipt in the Bid in the appropriate space. List each Addendum individually on the Bid Form.
13. The Schedule of Values shall include a line item for the submission of the Project Closeout Documents. The value of this item shall be no less than 1% of the initial contract amount. Separate schedule of values is required for each roof project section.
14. The Contractor must submit certified weekly payroll receipts directly to the Delaware Department of Labor as required.
15. The Front End Specifications requires a two (2) year Warranty and Guarantee Period after acceptance by the Owner.
16. The Front End Specifications, the Performance and Labor & Material Payment Bonds shall be maintained in full force (warranty bond) for a period of two (2) years after the date of the Certificate for Final Payment.
17. All potential change orders need to be immediately brought to the attention of the Architect and site supervisor (PRS). Change orders must be approved prior to any work being done. The work will be tracked by PRS for the amount of hours required to complete each task within the change order.
18. Facility restrooms are not available. Port-O-Sans will be required.
19. Contractors shall submit a list of all proposed workers along with their completed DOC security clearance applications. Same applies to all Subcontractors and manufacturers' representatives.
20. Normal working hours are between 7:00 a.m. to 3:00 p.m., Monday thru Friday. No work on Saturdays and Sundays.
21. No mingling with inmates.
22. Contractors shall not bring glass containers into the Facility.
23. Contractors are required to sign in at the Main Entrance each morning before driving through the sally port. All Contractors shall enter and leave as a group with an escort (Maintenance Personnel or Correctional Officer). Allow up to 1 hour to enter or leave the Facility.
24. All utility shutdowns must be coordinated with DOC Maintenance.
25. Contractors were advised that only limited movement will be permitted while inside the compound.
26. Trucks should be kept clean. Trash within the vehicle could increase the amount of time it takes the Correctional Officers to inspect the vehicles.
27. A list of tools must be supplied with each truck and/or gang box. Inventory shall be taken by the Contractors at the end of each work day. Correctional Officers reserve the right to inspect and inventory all trucks. Report all missing tools immediately.

Leave all unnecessary tools at the shop.

28. All vehicles and tool boxes shall be locked at all times.
29. Proper construction clothing is required. Short pants, open-toed shoes, and/or bare chests are not permitted. Contractors are required to wear safety vests so they are easily distinguishable from inmates.
30. No dumping will be allowed on the project site. Trash, debris and waste must be removed from the compound daily and from the site as required or directed. Dumpster location to be coordinated at the Pre-Construction Meeting.
31. Employee/Contractor/Subcontractor lunch breaks during normal working hours shall occur at the job site.
32. Cell phones shall not be allowed in the Facility.
33. The contingency allowance is to be included in your base bid.
34. The Pre-Bid walk-through for this project is scheduled for \_\_\_\_\_, \_\_\_\_\_, 2016 at \_\_\_\_\_. Kerry Wareham from the State of Delaware OMB/DFM shall provide security forms by e-mail for James T. Vaughn Correctional Center. It was requested that all contractors complete the form and must have their security clearance applications submitted by email directly to Ernest Kulhanek at [ernest.kulhanek@state.de.us](mailto:ernest.kulhanek@state.de.us) by \_\_\_\_\_, \_\_\_\_\_, close of business, to allow time for the security clearance process. In addition, provide Mark Reynolds and Kerry Wareham the list of employees you plan on having attend the site visit by \_\_\_\_\_. All contractors are to report to the Maintenance Building. If you are not there by \_\_\_\_\_, you will not be permitted in.
35. The Bid Form – Subcontractor List shall be reviewed, which list only one Sub-Contractor as “Roofers”.
36. Contractors are required by the State of Delaware, as of the beginning of this year to have a Drug Testing Program that must comply with the State of Delaware’s requirements and sign the Bid Form – Affidavit of Employee Drug Testing Program in acknowledgement. The Prime Contractor and all Sub-Contractor’s shall be required to fill-out and sign the Bid Form – Affidavit of Employee Drug Testing Program in acknowledgement.
37. In order for Contractors to be paid for stored materials the materials must be stored on site or the Contractor shall request approval from Kerry Wareham (OMB/DFM) which will require several forms of proof, including but not limited to, proof of insurance on materials, invoices for the materials, photographs with project labels, etc.

**“Y” BUILDING ROOF REPLACEMENT  
AT THE  
JAMES T. VAUGHN CORRECTIONAL CENTER  
SMYRNA, DELAWARE  
OMB/DFM CONTRACT NO.: MJ3804000027**

**BID FORM**

**SUBCONTRACTOR LIST**

In accordance with Title 29, Chapter 6962 (d)(10)b Delaware Code, the following sub-contractor listing must accompany the bid submittal. The name and address of the sub-contractor **must be listed for each category** where the bidder intends to use a sub-contractor to perform that category of work. In order to provide full disclosure and acceptance of the bid by the *Owner*, **it is required that bidders list themselves as being the sub-contractor for all categories where he/she is qualified and intends to perform such work.** This form must be filled out completely with no additions or deletions. **Note that all subcontractors listed below must have a signed Affidavit of Employee Drug Testing Program included with this bid.**

<b><u>Subcontractor Category</u></b>	<b><u>Subcontractor</u></b>	<b><u>Address (City &amp; State)</u></b>	<b><u>Subcontractors tax payer ID # or Delaware Business license #</u></b>
1. Roofer			
2. Mechanical			
3. Plumber			
4. Electrical			
5.			
6.			
7.			
8.			





TETRA TECH

240 Continental Drive, Suite 200, Newark, Delaware 19713

PREBID MEETING SIGN-IN SHEET

James T. Vaughn Correctional Center  
Building "Y" Roof Replacement

Tt PROJECT NO.: 200-16096-12023/200-01291-13022  
DATE: July 12, 2016

Name	Company	Physical Address	Telephone	Fax	e-mail
1 <u>Buck High</u>	<u>TRI-STATE PFB</u>	<u>Wilms, DE</u> <u>404 MECO DR</u>	<u>302-995-7027</u>	<u>302-995-7597</u>	<u>bhigh@comcast.NET</u>
2 <u>MATTHEW Tetlow</u>	<u>FARRELL ROOFING, Inc</u>	<u>201 LAKE ST.</u> <u>MIDDLETON, DE</u>	<u>302-318-8116</u>	<u>302-318-9662</u>	<u>MATETLOW@FARRELLROOFINGINC.COM</u>
3 <u>MARK ZAWADZKI</u>	<u>D.A. NOOT, INC.</u>	<u>53 CROSS KEYS RD</u> <u>BEOWN, NJ 08009</u>	<u>856-753-9333</u>	<u>856-753-4963</u>	<u>MATT@DANOUT.COM</u>
4 <u>Joseph Adams</u>	<u>Wilkinson</u>	<u>1000 First State Blvd</u>	<u>302-998-6176</u>	<u>302-998-9719</u>	<u>jimad@wilkinsonroofing.com</u>
5 <u>Michael Cally</u>	<u>Jottan</u>	<u>61 cathy Ln, Florence, NJ</u>	<u>609-447-6200</u>	<u>609-447-6206</u>	<u>salesadmin@jottan.com</u>
6 <u>Daniel Plasket</u>	<u>Jottan</u>	<u>61 Cathy Ln, Florence, NJ</u>	<u>609-447-6200</u>	<u>609-447-6206</u>	<u>salesadmin@jottan.com</u>
7 <u>Deo Seely</u>	<u>DFM</u>	<u>540 S. DUPONT HIGHWAY, SUITE 1</u> <u>DOVER, DE 19901</u>	<u>302-739-5261</u>	<u>302-739-6148</u>	<u>Joseph.seely@state.de.us</u>
8 <u>ERIC SMELTZER</u>	<u>DOC</u>	<u>245 MCKEE ROAD</u> <u>DOVER, DE 19904</u>	<u>302-867-5261</u>	<u>302-739-8224</u>	<u>eric.smeltzer@state.de.us</u>
9 <u>Mark Reynolds</u>	<u>TG</u>	<u>240 CONTINENTAL DRIVE, SUITE 200</u> <u>NEWARK, DE 19713</u>	<u>302-738-7551</u>	<u>302-464-5989</u>	<u>mark.reynolds@tstatede.com</u>
10					
11					
12					
13					

James T. Vaughn Correctional Center  
Building "Y" Roof Replacement

200-16096-12023 / 200-01291-13022

Bids Due: 2:00 p.m., August 18, 2016 at  
Facilities Management conference room  
Thomas Collins Building  
540 S. DuPont Highway, Third Floor  
Dover, DE

REGISTER OF BID DOCUMENTS  
PLEASE PRINT CLEARLY

\$ 100.00 per set

#01	<p>Name of Company: <u>DA NOLT</u></p> <p>Physical Address: <u>53 CROSS KEYS ROAD</u> City, State: <u>BERLIN, NJ 08009</u></p> <p>Contact: <u>MARK ZAWADZKI (PMS)</u> GC: <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>Phone: <u>856-753-9333</u></p> <p>Fax: <u>856-753-4963</u> Date: <u>7-12-16</u></p> <p>E-Mail: <u>MZawadzki@danolt.com</u></p>
#02	<p>Name of Company: <u>FARRELL ROOFING</u></p> <p>Physical Address: <u>201 WEST LAKE STREET</u> City, State: <u>MIDDLETOWN, DE 19709</u></p> <p>Contact: <u>MATTHEW TETRICK</u> GC: <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>Phone: <u>302-378-7663</u></p> <p>Fax: <u>302-378-9662</u> Date: <u>7-12-16</u></p> <p>E-Mail: <u>mrtetrick@farrellroofing.com</u></p>
#03	<p>Name of Company: <u>WILKINSON ROOFING</u></p> <p>Physical Address: <u>1000 FIRST STATE BLVD</u> City, State: <u>WILMINGTON, DE 19804</u></p> <p>Contact: <u>JIM McKEEVER</u> GC: <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>Phone: <u>302-</u></p> <p>Fax: <u>302-</u> Date: <u>7-12-16</u></p> <p>E-Mail: <u>JIM@WILKINSONROOFING.COM</u></p>



James T. Vaughn Correctional Center  
Building "Y" Roof Replacement

200-16096-12023- / 200-01291-13022

Bids Due: 2:00 p.m., August 18, 2016 at  
Facilities Management conference room  
Thomas Collins Building  
540 S. DuPont Highway, Third Floor  
Dover, DE

REGISTER OF BID DOCUMENTS  
PLEASE PRINT CLEARLY

\$ 100.00 per set

#04	<p>Name of Company: <u>JOTTAN, Inc.</u></p> <p>Physical Address: <u>61 CATHY LANE</u></p> <p>City, State: <u>FLORENCE, NJ 08518</u></p> <p>Contact: <u>CAROLINE SMITH</u> GC: YES <input type="checkbox"/> NO <input type="checkbox"/></p> <p>Phone: <u>609-447-6200</u></p> <p>Fax: <u>609-447-6206</u> Date: <u>7-12-16</u></p> <p>E-Mail: <u>SALESADMIN@JOTTAN.COM</u></p>
#05	<p>Name of Company: _____</p> <p>Physical Address: _____</p> <p>City, State: _____</p> <p>Contact: _____ GC: YES <input type="checkbox"/> NO <input type="checkbox"/></p> <p>Phone: _____</p> <p>Fax: _____ Date: _____</p> <p>E-Mail: _____</p>
#06	<p>Name of Company: _____</p> <p>Physical Address: _____</p> <p>City, State: _____</p> <p>Contact: _____ GC: YES <input type="checkbox"/> NO <input type="checkbox"/></p> <p>Phone: _____</p> <p>Fax: _____ Date: _____</p> <p>E-Mail: _____</p>

SECURITY CLEARANCE APPLICATION  
DELAWARE DEPARTMENT OF CORRECTION

Page 1 of 3

PLEASE PRINT CLEARLY

**WHO SHOULD COMPLETE THIS FORM:**

- i. Applicants requesting one-time access or occasional access (whether for one facility or multiple facilities)
- ii. Applicants requesting a badge for access to one or more facilities (frequent access for period of 1 year or more)  
*Note: These applicants will be directed to Human Resources after this form is approved*
- iii. Individuals requesting to schedule an offender visit may be asked to complete this form.

Volunteers, interns and professional service visitors must attach a letter from their sponsoring organization. Letter must be on agency letterhead, signed by the agency's director and include the name and title/role of the applicant and the name of the program.

**WHO SHOULD NOT COMPLETE THIS FORM:**

- (1) Attorneys
- (2) Employees of DOC's contracted medical/behavioral health provider (please contact DOC's Human Resources directly)

**SECTION 1: PERSONAL INFORMATION & CRIMINAL HISTORY**

NAME: \_\_\_\_\_  
(LAST) (FIRST) (MIDDLE)

PLEASE LIST ALL OTHER NAMES YOU HAVE USED INCLUDING MAIDEN, NICKNAMES AND RELIGIOUS NAMES:  
\_\_\_\_\_

DOB: \_\_\_\_\_ PLACE OF BIRTH: \_\_\_\_\_ SSN#: \_\_\_\_\_

SEX: MALE / FEMALE RACE: \_\_\_\_\_ DRIVER'S LICENSE #: \_\_\_\_\_ STATE: \_\_\_\_\_

ADDRESS: \_\_\_\_\_ APT #: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_

PHONE: HOME: (\_\_\_\_) \_\_\_\_\_ WORK: (\_\_\_\_) \_\_\_\_\_

EMAIL: \_\_\_\_\_

**PLEASE LIST WHICH FACILITY(IES) YOU ARE REQUESTING ACCESS TO:**

**PLEASE SELECT TYPE OF ACCESS REQUESTED**

- ☐ Offender Visit
- ☐ One Time Access (i.e. single event) *\*No badge issued*
- ☐ Occasional Volunteer or Service Provision (Less than 3 days per week or less than 165 days per year for a period of one year or less) *\* No badge issued*
- ☐ Frequent/Long Term Volunteer or Service Provision (At least 3 days per week or 165 days per year for a period of one year or more) *\* You will be directed to HR to fill out a badge application packet after this form has been approved by the respective DOC Bureau Chief*

**DO YOU HAVE ANY ARRESTS FOR CHARGES OTHER THAN TRAFFIC TICKETS (WHETHER CONVICTED, DISMISSED, NOLLE PROSSED, OR PARDONED)? NO/YES (IF YES, COMPLETE BELOW). IF YOU NEED MORE ROOM, PLEASE ATTACH A SEPARATE SHEET.**

COUNTRY: \_\_\_\_\_ DATE: \_\_\_\_\_

OFFENSE: \_\_\_\_\_

**HAVE YOU EVER BEEN *CONVICTED* OF AN OFFENSE OTHER THAN A TRAFFIC TICKET? NO /YES**  
**(IF YES, COMPLETE BELOW). IF YOU NEED MORE ROOM, PLEASE ATTACH A SEPARATE SHEET.**

**COUNTRY:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

**OFFENSE:** \_\_\_\_\_ **SENTENCE:** \_\_\_\_\_

**ARE YOU PRESENTLY UNDER DEPT. of CORRECTION SUPERVISION: NO/YES (IF YES, WHAT):** \_\_\_\_\_

**ARE YOU RELATED TO OR KNOW ANYONE INCARCERATED AT A DOC FACILITY; NO/ YES**

**IF YES, NAME OF INMATE AND YOUR RELATIONSHIP TO THEM:** \_\_\_\_\_

**SECTION 2: JUSTIFICATION FOR SECURITY CLEARANCE REQUEST** *DO NOT COMPLETE THIS SECTION IF APPLYING FOR AN OFFENDER VISIT. IF REQUESTING ONE-TIME PRISON ACCESS FOR A SINGLE EVENT, ONLY ANSWER THE QUESTIONS MARKED WITH AN ASTERISK (\*).*

**\*REASON FOR CLEARANCE:** \_\_\_\_\_

**\*DATE(S) OF ACTIVITY:** \_\_\_\_\_ **\*ORGANIZATION:** \_\_\_\_\_

**\*PROGRAM NAME:** \_\_\_\_\_

**\*JOB TITLE:** \_\_\_\_\_ **\*HOW LONG EMPLOYED/VOLUNTEERING:** \_\_\_\_\_

**ORGANIZATION ADDRESS, PHONE NUMBER, AND EMAIL:**

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**WHAT TYPE OF VOLUNTEER OR PROFESSIONAL SERVICES WILL YOU BE PROVIDING?**

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**DESCRIBE YOUR QUALIFICATIONS FOR PROVIDING PROFESSIONAL OR VOLUNTEER SERVICES:**

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**LIST ANY PAST OR PRESENT PROFESSIONAL OR VOLUNTEER ORGANIZATIONS YOU PARTICIPATED IN**  
**(INCLUDE NAME, LENGTH OF SERVICE, CONTACT PERSON, AND PHONE NUMBER OR EMAIL):**

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**SECTION 3: PLEASE READ AND SIGN** *ALL APPLICANTS MUST COMPLETE THIS SECTION*

I understand that DOC authorities will verify my criminal record information. I also understand that my application may be rejected for any reason.

**SIGNATURE:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

\_\_\_\_\_

**DOC USE ONLY:**

The following is the result of the DELJIS and NCIC records checks:

DELAWARE WANTS/WARRANTS \_\_\_\_\_ DELWARE CRIMINAL HISTORY \_\_\_\_\_

NCIC WANTS/WARRANTS \_\_\_\_\_ NCIC CRIMINAL HISTORY \_\_\_\_\_

DELJIS/NCIC  
INVESTIGATOR \_\_\_\_\_ SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

APPROVED \_\_\_\_\_ APPROVAL EXPIRES ON: \_\_\_\_\_

DENIED \_\_\_\_\_

**IF DENIED, PLEASE INDICATE REASON BELOW:**

- (1) Dishonest/incomplete application;
- (2) Active pending charges/warrants/capiases;
- (3) Any criminal conviction within the past two years;
- (4) Any incarceration in a Delaware correctional facility within the past three years;
- (5) Pending litigation against DOC involving applicant, arrest for escape, conviction for smuggling prison contraband, affiliation with confirmed security threat group, or previous institutional misconduct relating to the security, life, safety, and health of the facility while incarcerated;
- (6) Other (See Investigation for info).

REVIEWER'S SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

## **A GUIDE TO THE PREVENTION AND REPORTING OF SEXUAL ABUSE AND MISCONDUCT WITH OFFENDERS**

### **PREA Information for Contractors, Vendors, and Volunteers with Limited Contact with Offenders**

*Please Read, Sign, and Return this Acknowledgement Form with the Security Clearance Application*

#### **Staff Sexual Misconduct**

Delaware Department of Correction (DDOC) policy 8.60 specifically forbids any activity associated with or that promotes acts of sexual conduct, including sexual harassment between offenders and DOC staff. In this definition, “staff” includes: contractors, vendors and volunteers of the DOC. An “offender” means someone incarcerated in a correctional facility or under supervision in the community. DDOC policy 8.60 contains detailed descriptions of what constitutes sexual misconduct and staff misconduct of a sexual nature (Policy 8.60 is available on the DDOC website at: [http://www.doc.delaware.gov/downloads/policies/policy\\_8-60.pdf](http://www.doc.delaware.gov/downloads/policies/policy_8-60.pdf))

#### **Forms of sexual misconduct include, but are not limited to:**

1. Any behavior of a sexual nature directed toward an offender by a Department staff, contract staff, or volunteer.
2. Inappropriate touching between offenders and staff.
3. All completed, attempted, threatened, or requested sexual acts between Department staff and the offender.
4. Sexual comments and conversations with sexually suggestive innuendos or double meanings.
5. Display or transmittal of sexually suggestive posters, objects, or messages.

Depending on the investigation findings of an alleged incident, the outcome may result in the loss of your job/assignment and the possibility of criminal charges. In addition, persons accused of sexual harassment in civil or criminal proceedings may be held personally liable for damages to the person harassed.

#### **An Abuse of Power**

Due to the imbalance of power between offenders and staff in correctional settings, sexual interactions between staff (who have power) and offenders (who lack power) are unprofessional, unethical and illegal. Some offenders who lack power may become sexually involved with staff in an effort to equalize the imbalance of power. Occasionally an offender may try to use sex to improve his/her standing or circumstances (e.g., better job, avoid disciplinary action, affect a release plan, gain privileges, etc.). As a DOC contractor, vendor or volunteer, your designated assignments place you in a position of authority over the offenders with whom you interact in a professional capacity. It is not possible to have a relationship as equals because you have a responsibility to maintain custody, evaluate work performance, and/or provide input to issues that affect release dates, return to prison, or other sanctions.

Because of the imbalance of power between offenders and staff, vendors, contractors and volunteers, there can never be a consensual relationship between staff and offenders. In fact, the law states “consent” is not a defense to prosecution. Here are some factors to consider.



Some staff don't think of offenders as 'victims' of staff sexual misconduct, especially when the offender appears to be a willing participant or even initiated the sexual or 'romantic' interactions with a staff member. The offender is always the victim because of the imbalance of power. The consent or willingness of an offender to participate may be a survival strategy or a learned response to previous or current victimization. Many offenders have a history of victimization (physical and/or sexual abuse), which may make them especially vulnerable to the sexual overtures of persons in positions of authority. Their perception of affection/love may be skewed by this background of abuse, making it impossible for them to refuse advances of a staff member.

In some instances, particularly for female offenders, their survival in the community has been directly related to using their sexuality to obtain the means to survive. Coupled with low self-esteem, this carries over into their conduct in prison and while under community supervision.

As the person in authority, it is your responsibility to discourage, refuse and report any overtures as well as maintain professional boundaries at all times. Boundaries in relationships can be difficult. If you question your professional boundaries with an offender or feel uncomfortable with his/her actions or advances toward you, talk to another person you respect and/or bring this matter to the attention of a DOC employee before it gets out of control.

### Red Flags:

The following are behaviors or 'red flags' that may signal you or someone you work with is in danger of engaging in sexual misconduct with an offender:

- Spending a lot of time with a particular offender
- Change in appearance of an offender or staff member
- Deviating from agency policy for the benefit of a particular offender
- Sharing personal information with an offender
- Horseplay
- Overlooking infractions of a particular offender
- Doing favors for an offender
- Consistently volunteering for a particular assignment or shift
- Coming to work early/staying at work late
- Flirting with an offender

### Some Other Things to Consider:

Amorous or sexual relationships with an offender are seldom a secret. Such behavior will subject you to disrespect and manipulation from other offenders that may be aware of your situation. Once in a relationship, professional judgment becomes clouded and the normal defenses that exist to protect you will be compromised. When acting on emotions, you may take actions that would otherwise be considered inappropriate in a correctional environment (either in custody or in the community).

Amorous or sexual relationships are inappropriate and illegal when they occur between an offender and any staff member, contractor, vendor or volunteer. Offenders depend upon staff to provide for their board and care, ensure their safety, address their health care needs, supervise their work and conduct, and act as role models for socially acceptable conduct. Your conduct and the decisions you make reflect not only on your own reputation, but also on that of your peers and the agency you represent.

**How to Maintain Appropriate Boundaries:**

Most staff/offender sexual misconduct occurs only after seemingly innocent professional boundaries have been crossed. The following behaviors will assist you in maintaining appropriate boundaries:

- Maintain professional distance
- Focus behavior on duties and assignments
- Do not become overly close with offenders
- Do not share your own or other staff person's personal information with or around offenders
- When speaking to offenders about other staff, refer to the staff by their title or as Ms. or Mr.
- When speaking to offenders refer to them as Ms. or Mr. and their last name
- Do not accept gifts or favors from offenders
- Be knowledgeable of Departmental policy and procedure, rules of conduct and laws regarding sexual misconduct and sexual harassment.

**A Duty to Report**

Staff must report any inappropriate staff/offender behavior immediately. The presence of illegal and unethical behavior by staff compromises the security and safety of the agency. Staff that fail to report such behavior will be held accountable and sanctioned through dismissal. All efforts will be made to ensure the confidentiality of the reporting staff member.

**I HAVE READ AND UNDERSTAND THE INFORMATION PROVIDED IN THIS DOCUMENT.**

**SIGNATURE:** \_\_\_\_\_

**DATE:** \_\_\_\_\_

**PRINTED NAME:** \_\_\_\_\_

**ORGANIZATION / COMPANY** \_\_\_\_\_

**PROGRAM NAME:** \_\_\_\_\_

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