



# Suspension of Competition Acquisition Request

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1. Fully describe the product(s) and/or service(s) being requested.

Under Assembly Bill (AB) 1810 and Senate Bill (SB) 215, pre-trial diversion allows for community-based mental health services treatment in lieu of trial and sentencing by a jury or judge for those diagnosed with a mental health disorder. For counties who have transferred a large number of individuals with felony crimes from county jails to a state hospital for Incompetent to Stand Trial (IST) services, the Department of State Hospitals (DSH) released one-time funding to implement AB 1810 pre-trial diversion program services and connect these individuals to local mental health treatments and supportive services. In collaboration with criminal justice partners, Department of Behavioral Health (DBH) has utilized the funding to support training and implementation of the centralized Mental Health Diversion Court (MHDC), a community supervision component through Probation to MHDC, and contracted services for community-based forensic behavioral health treatment services. The current Diversion Program contract no. A-20-341 funded with DSH Diversion funds ends June 30, 2023. DBH requires a treatment provider for DSH Diversion funds in FY 23-24. If we do not have a provider in place, DBH will not be able to draw down the remaining DSH Diversion allocation in FY 23-24.

2. Identify the selected vendor and contact person; include the address, phone number and e-mail address for each.

Turning Point of Central California, Inc.

Contact: Elizabeth Escoto

1233 W. Shaw Avenue Suite 104

Fresno, CA 93711

Email: eescoto@tpocc.org

Office: 559-732-8086 ext 6153

3. What is the total cost of the acquisition? If an agreement, state the total cost of the initial term and the amounts for potential renewal terms.

The non-competitive funding made available by DSH in the amount of \$5,843,700, has a required 20% County contribution match to these funds in the amount of \$1,168,740, with up to 5% (\$58,437) able to be met through County administrative costs associated with program development, reporting, and evaluation activities. The maximum total for the DSH Diversion funding is \$7,012,440. DBH has successfully invoiced DSH for \$2,921,850 to date, with an additional \$2,921,850 available to draw down.

The term for this amendment will be July 1, 2023 to June 30, 2024, with a total cost not to exceed the \$1,035,534 remaining DSH Diversion funds available for treatment services and \$207,106 in MHSA match for a total of \$1,242,640.

4. Identify the unique qualities and/or capabilities of the service(s) and/or product(s) that qualify this as a Suspension of Competition acquisition.

Turning Point of Central of Central California, Inc. (Turning Point) is the contracted provider for both the Forensic Behavioral Health Continuum of Care (FBH-CoC) program (A-23-036) and the Diversion contract (A-20-341). The FBH-CoC program contract resulted from Request for Proposal (RFP) No. 22-047, released on March 7, 2022 and closed on April 4, 2022 with only one bid, from the provider. The Scope of Work is similar between the Diversion and FBH-CoC programs, with the exception that the Diversion program is required to comply to DSH Diversion data reporting requirements. This was done deliberately in order for the FBH-CoC to be able to absorb and continue diversion services after the end of DSH Diversion funding contract (A-20-340) on June 30, 2023.

5. Identify from Administrative Policy #34 what circumstances constitute a Suspension of Competition.

- In an emergency when goods or services are immediately necessary for the preservation of the public health, welfare, or safety, or for the protection of County property.
- When the contract is with a federal, state, or local governmental agency.
- When the department head, with the concurrence of the Purchasing Agent, finds that the cost of preparing and administering a competitive bidding process in a particular case will equal or exceed the estimated contract amount or \$5,000 whichever is more.
- When a contract provides only for payment of per diem and travel expenses and there is to be no payment for services rendered.
- When obtaining the services of expert witnesses for litigation or special counsel to assist the County.
- When in unusual or extraordinary circumstances, the Board of Supervisors or the Purchasing Agent/Purchasing Manager determines that the best interests of the County would be served by not securing competitive bids or issuing a request for proposal.

6. Explain why the unique qualities and/or capabilities described above are essential to your department.
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DSH did not alert County about an one year extensioin of funding contract until December 2022. This did not give Count adequate time to RFP out DSH-funding services.

7. Provide a comprehensive explanation of the research done to verify that the recommended vendor is the only vendor with the unique qualities and/or capabilities stated above. Include a list of all other vendors contacted, what they were asked, and their responses.

The current DSH Diversion eligible individuals are served by Turning Point's Diversion Program. The Diversion Program is a five-tiered comprehensive treatment program specifically designed to allow for flexibility in moving persons served between different levels of care seamlessly as clinically indicated all under one program. The tiers include Assertive Community Treatment (ACT), Full Service Partnership (FSP), Intensive Care Management (ICM), Outpatient (OP) and Outreach and Engagement (O&E). The majority of the DSH Diversion persons served receive services at the ACT or FSP level of care.

The Diversion Program initiated September 20, 2020 will be sunsetting June 30, 2023 upon expiration of its contract. On January 4, 2023 DSH sent notification for term extension approval and the final recommended amendment to the DSH Jail Diversion Funding Agreement on March 10, 2023. This amendment will extend the term of the existing funding agreement by one year for DSH Diversion services through June 30, 2024.

The FBH-CoC program is the only justice specific program in Fresno County's system of care that provides ACT and FSP levels of care. The RFP for this program resulted in only one response, the provider. The program is run by the same service provider, Turning Point, as the Diversion Program and is located in the same office suites. As it is the same provider that runs both programs, they are already familiar with DSH Diversion data reporting, attending Mental Health Diversion Court, and its Diversion Program staff is already split part time with FBH-CoC program staff.

mcurtis 5/5/2023 2:16:56 PM

Requested By:

Staff Analyst

Title

[\[✕ Sign\]](#) Double click!

**I approve this request to suspend competition for the service(s) and/or product(s) identified herein.**

sholt 5/5/2023 2:28:20 PM

Department Head Signature

[\[✕ Sign\]](#) Double click!

gcornuelle 5/8/2023 11:15:05 AM

Purchasing Manager Signature

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