



# Agenda Item 32

DATE: February 24, 2015  
 TO: Board of Supervisors  
 FROM: Dawan Utecht, Director Department of Behavioral Health *Paula Utecht*  
 SUBJECT: Retroactive Agreement with Central California Faculty Medical Group

RECOMMENDED ACTION:

1. **Make a finding that it is in the best interest of the County to waive the competitive bidding process consistent with Administrative Policy No. 34 for unusual or extraordinary circumstances for the provision of psychiatrist services.**
2. **Approve and authorize the Chairman to execute a retroactive sole source Agreement with Central California Faculty Medical Group (CCFMG) for psychiatric services by licensed psychiatrists serving Department of Behavioral Health clients effective February 7, 2015, not to exceed five consecutive years, which includes a three-year base contract and two one-year extensions (\$3,204,730.00).**

Approval of the recommended actions will allow Central California Faculty Medical Group (CCFMG) to continue providing direct psychiatric services at various county behavioral health facilities to clients experiencing a mental health crisis. Actual services would be paid for with Medi-Cal Federal Financial Participation (FFP), Behavioral Health and Mental Health Realignment funds, with no net County cost.

ALTERNATIVE ACTION(s):

If the recommended actions are not approved a sufficient level of psychiatric services to clients in need will not be fulfilled by the Department of Behavioral Health (DBH), further delaying treatment for the client and ending the department's collaboration with Central California Faculty Medical Group (CCFMG).

ADMINISTRATIVE OFFICE REVIEW \_\_\_\_\_

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APPROVED AS RECOMMENDED



Official Action of  
 Board of Supervisors  
*Susan Bishop*  
 Deputy

UNANIMOUS  BORGESAS \_\_\_\_\_ MENDES \_\_\_\_\_ PACHECO \_\_\_\_\_ PEREA \_\_\_\_\_ POOCHIGIAN \_\_\_\_\_

SUSPENSION OF COMPETITION/SOLE SOURCE CONTRACT:

The department requests the Board to waive the competitive bidding process consistent with Administrative Policy No. 34 based on the immediate need for continued direct psychiatric services. These services are provided directly to county behavioral health clients by licensed psychiatrists at an hourly rate on an as needed basis as singularly offered by CCFMG. Only actual direct services provided to clients will be paid for. Given the shortage of county psychiatrists, the Agreement will ensure sufficient levels of psychiatric services continue to be available for behavioral health clients. Purchasing concurs with the department's request to waive the competitive bidding process.

RETROACTIVE AGREEMENT:

As a result of diligent contract negotiations with CCFMG, the proposed Agreement is retroactive to February 7, 2015. Items such as Medi-Cal billing, hourly rate negotiations, as well as other proposed Agreement terms and conditions required additional review and consultation time by involved parties. The existing Agreement expires on February 6, 2015.

FISCAL IMPACT:

There is no increase in net County cost associated with the recommended actions. The maximum amount of the agreement (\$3,204,730.00) will be fully offset with Short-Doyle Medi-Cal Federal Financial Participation (FFP), Behavioral Health Realignment and Mental Health Realignment Funds. Sufficient appropriations and revenues are included in the Adopted FY 2014-15 DBH Organizations 56302246, 56302922, 56304759, and 56304314 as will future fiscal year Org 5630 requested budgets for the term's duration. The proposed yearly agreement increased from \$452,806 to \$615,816, increasing the current Full Time Equivalent (FTE) from 1.5 to 2.0 providing additional psychiatric services as needed plus a two percent annual increase in subsequent years for the remainder of the agreement.

DISCUSSION:

On February 7, 2012, Agreement No. A-12-064 with CCFMG was approved by your Board for professional psychiatric services for county behavioral health clients. Amendment I of the initial agreement was approved on December 11, 2012, increasing the hourly rate from \$120.00 to \$145.13 an hour to allow DBH to provide additional psychiatric services to clients in coordination and integration with primary care medical services and other programs. Approval of the recommended actions will increase the hourly rate to \$148.03 on February 7, 2015, and increase by 2% on February 7<sup>th</sup> each year for the remainder of the term. CCFMG will continue to provide psychiatric services including assessments, consultations, medications, monitoring, crisis and family interventions, multi-disciplinary team participation, forensic evaluations, group therapy, and other related services as necessary.

To address psychiatrist down time during client no shows or cancellations DBH will implement a telephone reminder call system, multiple (or double) booking as needed, and increase communication between the client and provider staff.

The recent loss of an experienced county psychiatrist coupled with the ongoing psychiatrist shortage requires the department to maintain CCFMG for professional psychiatrist services on an as needed basis. The current services are provided at the DBH Primary Care Integration Program with Community Medical Center's Ambulatory Care Center. Services have been provided to an excess of a thousand clients since 2013. The Affordable Care Act, which expands Medi-Cal eligibility to

include psychiatric services, will compound this service need. CCFMG has been a county provider since February 2012, and has successfully met departmental service needs. This relationship has been integral in providing county clients a seamless delivery of primary care and behavioral health treatment at a single facility. Waiving the suspension of competition will avoid potential service delays allowing CCFMG to continue service delivery beyond the expiration of the existing agreement on February 6, 2015.

The recommended Agreement for psychiatric services for DBH clients will be retroactive effective February 7, 2015, for a three year base contract and two one-year extensions based on satisfactory performance outcomes and adequate funding. The proposed agreement may be terminated with written notice for non-renewal by CCFMG, the County, DBH Director or designee no later than thirty days prior to the expiration of the current agreement term.

OTHER REVIEWING AGENCIES:

The Mental Health Advisory Board was made aware of the recommended Agreement at the December 2014 meeting. On January 12, 2015 General Services – Purchasing reviewed and concurred with the decision to waive the competitive bid process for the recommended suspension of competition.

REFERENCE MATERIAL:

Board Agenda Item# 19, February 7, 2012, A-12-064  
Board Agenda Item# 32, December 11, 2012, A-12-064-1  
Board Agenda Item# 43, June 4, 2013, A12-064-2



# Suspension of Competition Acquisition Request

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

Agreement to secure an adequate level of psychiatric services by licensed psychiatrists for the Department of Behavioral Health clients.

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

Central California Faculty Medical Group (CCFMG)  
Joyce Fields-Keene, Chief Executive Officer  
2625 East Divisadero Street  
Fresno, CA 93721  
(559) 453 - 5200

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 recommended Agreement would be for an initial 3 year term with (2) optional 1 year extensions and includes a 2% annual increase in subsequent years for the remainder of the agreement.

Initial 3 year term: \$ 615,816.00 02/07/15 - 02/06/16  
\$ 628,132.00 02/07/16 - 02/06/17  
\$ 640,695.00 02/07/17 - 02/06/18  
(2) 1 yr extensions: \$ 653,508.00 02/07/18 - 02/06/19  
\$ 666,579.00 02/07/19 - 02/06/20

Total Contract Amount not to exceed \$3,204,730.00

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.

The Department's request to waive the competitive bidding process is consistent with Administrative Policy #34 and is based on the immediate need for continued direct psychiatric services by licensed psychiatrists to Department of Behavioral Health clients.

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 \$1,000 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.

This agreement will allow licensed psychiatrists to provide psychiatric services to Department of Behavioral Health clients and includes; assessments, consultations, medications, monitoring, crisis and family interventions, participation in multi-disciplinary teams, forensic evaluations, and group therapy. The County will only pay for direct services provided by licensed psychiatrists for DBH clients. These services are unique and vital to the Department of Behavioral Health to ensure adequate levels of psychiatric services are made available to DBH clients. The Department has faced shortages in its Psychiatrist staff as this is a hard to fill position. The assistance of CCFMG will help fill the void in vital psychiatric services needed.

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.

CCFMG has been the provider of this service since February 2012 and is currently meeting the needs of the Department of Behavioral Health to have licensed psychiatric services available to its clients. Due to the shortage of available licensed psychiatric professionals, it is requested that the suspension of competition be waived in order for CCFMG to continue the required services to those in need of licensed psychiatric support and to avoid any potential delay in services when the agreement expires on February 6, 2015.

psanghera 1/8/2015 10:39:02 AM

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Requested By:

Title

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

dutecht 1/9/2015 12:31:17 PM

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Department Head Signature

gcornuelle 1/12/2015 2:40:16 PM

[✕ Sign] Double click!

Purchasing Manager Signature