



Legislation Details (With Text)

**File #:** 23-0686

**On agenda:** 8/22/2023

**Final action:** 8/22/2023

**Enactment date:**

**Enactment #:** Agreement No. 23-413

**Title:** Make a finding that is in the best interest of the County to suspend the competitive bidding process consistent with Administrative Policy No. 34 for unusual or extraordinary circumstances as Relias LLC is the only provider to offer a Learning Management System meeting specified requirements; and approve and authorize the Chairman to execute an Agreement with Relias LLC, to provide a Learning Management System for the Department of Behavioral Health effective September 1, 2023, not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions, total not to exceed \$1,228,425

**Attachments:** 1. Agenda Item, 2. Suspension of Competition Acquisition Request, 3. Agreement A-23-413 with Relias LLC

Date	Ver.	Action By	Action	Result
8/22/2023	1	Board of Supervisors	Consent Agenda be approved	Pass

**DATE:** August 22, 2023

**TO:** Board of Supervisors

**SUBMITTED BY:** Susan Holt, Director, Department of Behavioral Health

**SUBJECT:** Agreement with Relias LLC

RECOMMENDED ACTION(S):

- 1. Make a finding that is in the best interest of the County to suspend the competitive bidding process consistent with Administrative Policy No. 34 for unusual or extraordinary circumstances as Relias LLC is the only provider to offer a Learning Management System meeting specified requirements; and**
- 2. Approve and authorize the Chairman to execute an Agreement with Relias LLC, to provide a Learning Management System for the Department of Behavioral Health effective September 1, 2023, not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions, total not to exceed \$1,228,425.**

Approval of the recommended actions will allow the Department of Behavioral Health (DBH) to continue using Relias Learning as a Learning Management System (LMS) to ensure all DBH staff and contracted providers receive required trainings. The LMS offers more than 380 clinical, non-clinical, and administrative behavioral health courses in addition to Continuing Education Units for licensed staff. The LMS will be financed with Mental Health Services Act - Workforce Education and Training (WET) with no increase in Net County Cost. This item is countywide.

ALTERNATIVE ACTION(S):

Your Board may opt not to approve the recommended actions, which will result in the Department being out of compliance with the State Mental Health Plan's requirement to track trainings for County staff and contracted providers. There will also be an additional expense for the Department to secure trainers for face-to-face

trainings and/or the selection, purchase and implementation of a new customized learning management system.

#### SUSPENSION OF COMPETITION/SOLE SOURCE CONTRACT:

The DBH request to waive the competitive bidding process is consistent with Administrative Policy No. 34 as Relias LLC is the only vendor to provide a LMS with the Behavioral Health Essentials Library aligned with Fresno County's Mental Health Services Act Three Year Plan, Mental Health Plan, Cultural Competency Plan and Quality Improvement Work Plan. The Department made the determination based on internet research, and recommendations from other California Public Behavioral Health Systems (Counties). The Internal Services Department - Purchasing concurs with the Department's request to waive the competitive bidding process.

#### FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended actions. Cost for services under this agreement (\$1,228,425) will be funded with Mental Health Services Act - WET funds. Sufficient appropriation and estimated revenues are included in the DBH Org 5630 FY 2023-24 Recommended Budget and will be included in subsequent budget request for the duration of the agreement.

#### DISCUSSION:

During the 2018 Mental Health Plan Triannual Review, the State determined the DBH was out of a compliance based on the Department's inability to provide evidence of a training mechanism to ensure all County staff and contracted providers received required trainings. The Department identified Relias Learning as a possible plan of correction since the LMS can plan, coordinate, schedule, track, and measure training efforts across divisions, programs, units, agencies, and populations.

On August 7, 2018, your Board approved Agreement No. 18-419 with Relias LLC, to secure its Learning Management System. This LMS ensured that all DBH staff and contracted direct service providers received required trainings. On July 7, 2020, your Board approved an Amendment to increase funding and add additional user licenses to the agreement to accommodate workforce growth within the Department and its contracted providers throughout the duration of the agreement.

The LMS is meeting the needs of the Department as it provides relevant trainings to all staff, offers required Continuing Education Units for licensed staff, and serves as a mechanism to store historical training data. Approval of the recommended action will allow for continuity of the facilitation and tracking of state-required trainings.

Relias Learning is the only LMS that possesses capabilities essential to the DBH. The Behavioral Health Essentials Library includes the following topics: Integrated Care, Evidence Based Practices, Abuse and Neglect, Co-Occurring Disorders, Trauma Informed Care, Cognitive Behavioral Therapy, Clinical Effectiveness, Dialectical Behavioral Therapy, HIPAA, OSHA, DMH-5, Cultural Competency, Behavioral Health Interpreter, Workplace Violence, Suicide Screen for Direct Care, etc. By offering E-Learning, the Department is providing trainings that are cost effective, convenient, flexible, easily accessible, personalized, and includes Continuing Education Units for licensed and certified professionals.

Upon your Board's approval, the DBH will continue to use Relias Learning as the Department's LMS. The Agreement will be effective September 1, 2023, for three years, with two optional one-year extensions based on satisfactory performance. The recommended agreement provides for termination due to non-allocation of funds upon giving a 30-day advance written notice to Relias LLC.

The recommended agreement varies from standard County template as it was drafted by Relias LLC, is utilized by Relias LLC to execute agreements with different counties and is consistent statewide. Risk Management recommended the inclusion of standard insurance requirements and indemnity language. However, this agreement includes a Professional Liability Insurance limit of not less than One Million Dollars (\$1,000,000) per claim and an annual aggregate of Two Million Dollars (\$2,000,000), as well as mutual indemnification. The Department believes that the benefits of the recommended agreement outweigh any potential risks and recommends the approval of the agreement.

REFERENCE MATERIAL:

BAI #29, July 7, 2020  
BAI #40, August 7, 2018

ATTACHMENTS INCLUDED AND/OR ON FILE:

Suspension of Competition Acquisition Request  
On file with Clerk - Agreement with Relias LLC

CAO ANALYST:

Ronald Alexander