



DATE: 3/2/23

TO: Robert Gleason, Director of Purchasing

THRU: Tara Williams, Director, Human Services Department

FROM: Efrem Crenshaw, Director, Community Partnerships Division

PROJECT TITLE: Crisis Stabilization Services

REQUISITION NO.:

SOLE SOURCE/SOLE BRAND REQUEST

I. REQUEST: Provide a description of the features of the product/service or Scope of Work.

Henderson Behavioral Health provides Crisis Screening and Stabilization Services to indigent adults needing voluntary or involuntary intervention for mental illness under Florida Statute, Chapter 394 Mental Health Part 1. The Crisis Screening and Stabilization Unit (CSU) is the only 24-bed licensed psychiatric inpatient stabilization unit in Broward County that provides screening, assessment, treatment and stabilization of those individuals experiencing a severe emotional or psychiatric crisis who require a more restrictive setting. To ensure this critical service is available to the community, the County has funded services previously through our Sole Source/Sole Brand Request process. The current agreement with Henderson Behavioral Health, Inc., in the amount of \$531,000, will expire on September 30, 2023. However, given that Henderson continues to be the sole provider of a non-profit CSU, we are seeking its re-designation as a sole reasonable source.

II. JUSTIFICATION: Please check all boxes that describe your reason(s) for determining that only one source or brand is reasonably available.

Only Sole Source/Uniqueness

- ☐ Proprietary Item - this vendor/ source has the only rights to provide this service or commodity. A letter from the manufacturer or authorizing entity is included in this request.
- ☐ Technology Improvements - updates or upgrades to an existing system, software, software as a service (SaaS), hardware purchases.
- ☐ Engineering Direction - engineering drawing or specification identifies product; "no substitutes or equivalents will be acceptable."
- ☐ Only qualified supplier - reliability and maintainability of the product or service would be degraded unless specified supplier is used; may void warranty. This request includes a copy of the current warranty information.
- ☐ Other – the County requires this sole source, sole brand purchase for the following reasons:

Business Case (One/Most Reasonable Source or One/Most Reasonable Brand)

- ☐ Operational Compatibility - replacement parts from alternate suppliers are not interchangeable with original part and causes equipment incompatibility. Previous findings and/or documentation is included with this request.
- ☐ Ease of Maintenance - maintenance or retooling prohibits competition. Section III, Comparative Market Research includes estimated costs associated with changing current source and/or brand.
- ☐ Follow-On - potential for continued development or enhancement with same supplier and eliminates costs incurred by using different supplier. Section III, Comparative Market Research includes estimated costs for replacing current or existing system.
- ☐ Complies with existing community and safety standards, and/or laws, rules, and regulations.
- ☐ Exempted from the Procurement Code – per Section 21.5 of Broward County Administrative Code.
- ☒ Other/or additional information – using this sole source, sole brand purchase benefits the County for the following reasons:

Broward Behavioral Health Coalition (BBHC), is an active Florida Non-Profit Corporation designated by the Department of Children and Families (DCF) as the managing entity to approve Public Crisis Stabilization/Baker Act Receiving Facilities in Broward County. HBH is the only provider approved by BBHC in Broward to provide these services to the indigent population. HBH is entered into an agreement with BBHC effective July 1, 2022, which was later amended effective October 1, 2022. Copies of these agreements and a letter validating the designation of HBH as a CSU are being provided to Purchasing.

III. COMPARATIVE MARKET RESEARCH: Provide a detailed source or market analysis for justification of sole source/brand or most reasonable source (attach extra sheets as needed).

Estimated project value: \$ 531,000.00 Contract length (if applicable): 5 years

Expenses to date: N/A

Has this commodity been previously provided to the County? ☒ Yes ☐ No

If yes, when and by whom?

From 10/1/2018 to 9/30/2023 by Henderson Behavioral Health, Inc.

How was item/service procured?

Sole Source

What is the current contract (MA) or purchase order number?

19-CP-HCS-8263-02

If this is a sole brand, is there an "authorized" dealers list? ☐ Yes ☒ No

Cost/Benefit Analysis: What would the cost be to utilize an alternate vendor or source? This explanation should include the savings and/or additional costs to the County by not using the preferred vendor or source. Attach additional sheets if needed.

The Broward Behavioral Health Coalition (BBHC) has been granted the authority through the State of Florida Department of Children and Families (DCF) to contract with mental health providers for the purposes of providing temporary residential placement to individuals who are in crisis and have been deemed a danger to themselves or others. Because Henderson is the sole non-profit provider authorized through BBHC to provide these services throughout Broward County, the County is unable to utilize a different provider for Crisis Stabilization services. Additionally, the current Provider has a clear understanding of the population being served and maintaining this relationship would allow for the continuity of services and prevent any possible lapse.

CERTIFICATION: I have thoroughly researched the sole source or sole brand justification and fully understand the implications of Section 838.22 of the Florida Statutes:

(2) "It is unlawful for a public servant, with corrupt intent to obtain a benefit for any person or to cause unlawful harm to another, to circumvent a competitive bidding process required by law or rule by using a sole source contract for commodities or services."

(5) "Any person who violates this section commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084"

Efrem Crenshaw

REQUESTOR/EVALUATOR
(PRINT)

EFREM
CRENSHAW

Digitally signed by EFREM
CRENSHAW
Date: 2023.03.13 12:32:50 -04'00'

REQUESTOR/EVALUATOR (SIGN)

3/13/23

DATE

Tara Williams

DEPT./DIV. DIRECTOR OR
DESIGNEE (PRINT)

Tara Williams

Digitally signed by Tara Williams
Date: 2023.03.15 10:13:33
-04'00'

DEPT./DIV. DIRECTOR OR
DESIGNEE (SIGN)

3/15/23

DATE

The Purchasing Agent has reviewed the request and has completed the required due diligence per the Procurement Code Section(s) 21.25 and 21.26. The Purchasing Agent recommends the following:

☐ Sole Source ☐ Sole Brand ☒ Reasonable Source ☒ RFI attached ☐ Rejected
☒ Request Authorization to Negotiate
Additional Information:

See Purchasing Agent Review Below.

Purchasing Agent Signature: **Freddy Florial**

Digitally signed by Freddy Florial
Date: 2023.05.18 12:27:21
-04'00'

Date:

Digitally signed by DANEIA
COHEN-EBANKS,
PURCHASING MANAGER
Date: 2023.05.18 12:30:54
-04'00'

APPROVAL AUTHORITY

REASON/SUGGESTED ACTION (IF DISAPPROVED):

Signature: **Robert
Gleason**

Digitally signed by Robert
Gleason
Date: 2023.05.18 13:13:31
-04'00'

Date:



March 1, 2023

RE: Henderson Behavioral Health, Inc.

To Whom It May Concern:

This letter has been written to confirm that Henderson Behavioral Health, Inc. is the only provider with a Crisis Stabilization Unit in Broward County. No other network provider provides such psychiatric crisis services.

Henderson's Crisis Stabilization Unit (CSU) provides short-term, intensive, inpatient treatment and stabilization.

If you desire additional information, please contact me at (954) 622-8121, or by email at silvia.quintana@browardbehavioralhc.org.

Sincerely,

DocuSigned by:

Silvia Quintana

38C7D57E4C654C4...

Silvia Quintana

Chief Executive Officer



Purchasing Agent Review

The Broward County Human Services Department is seeking to renew an agreement with Henderson Behavioral Health. Henderson Behavioral Health, Inc. is the only provider with a Crisis Stabilization Unit in Broward County. Such services include but is not limited to, twenty-four hour a day crisis services, case management for all ages, emergency, and permanent housing with support services for homeless people.

In accordance with Broward County Procurement Code, Section 21.5(b)(6), "Services provided directly to individual persons or families pursuant to County-administered or County-designated programs (such as behavior health programs or veterans services by the Human Services Department; or housing finance, minor home repair, or affordable housing services or programs by the Housing Finance Division)", these services are exempt from the requirements of the Procurement Code. However, a Request for Information GEN2126491F1 Crisis Stabilization Services was issued on May 1-8, 2023, which yielded no response. Further, a letter from the Broward Behavioral health Coalition contained a statement stating that Henderson Behavioral health Inc, is the only provider of such psychiatric crisis services (refer to Exhibit 1).

In accordance with the Procurement Code, Section 21.25(a) Purchasing Agent affirms that the required due diligence has been completed and recommends this most reasonable source designation. In addition, pursuant to Chapter 23- Operational Policy, Human Services, Section 23(d), and consistent with past practices, this recommendation is to allow the Human Services Department to proceed with an Agenda Item requesting the Board to approve the most reasonable source designation to Henderson Behavioral Health, Inc. to provide the requested services.

Section 23(d): "Single Source Determination is made by the Director or designee when the only known Organization and/or Professional Organization or the only reasonable Organization and/or Professional Organization is capable of providing a particular service or commodity to the County. All single source agreements require approval by the Director of the Purchasing Division and formal approval by the Board."

The annual amount is estimated at \$531,000 with a 5-year potential of estimated amount of \$2,655,000.

Bid #GEN2126491F1 - Request for Information: Crisis Stabilization Services

Creation Date **Apr 7, 2023**

End Date **May 8, 2023 5:00:00 PM EDT**

Start Date **May 1, 2023 4:55:12 PM EDT**

Awarded Date **Not Yet Awarded**

GEN2126491F1-01-01 Crisis Stabilization Services					
Supplier	Unit Price	Qty/Unit	Total Price	Attch.	Docs
			No Bids		
Agency Product Code:		Supplier Notes:			
Agency Notes:					

★★

Solicitation GEN2126491F1

Request for Information: Crisis Stabilization Services

Bid Designation: Public



Broward County Board of County Commissioners

Bid GEN2126491F1

Request for Information: Crisis Stabilization Services

Bid Number **GEN2126491F1**
Bid Title **Request for Information: Crisis Stabilization Services**

Bid Start Date **May 1, 2023 4:55:12 PM EDT**
Bid End Date **May 8, 2023 5:00:00 PM EDT**
Question &
Answer End Date **May 5, 2023 5:00:00 PM EDT**

Bid Contact **Freddy Florial**
Purchasing Division
fflorial@broward.org

Bid Contact **Michael Mullen**
mmullen@broward.org

Contract Duration **Not Applicable**
Contract Renewal **Not Applicable**
Prices Good for **Not Applicable**

Bid Comments **NOTICE OF INTENT TO DESIGNATE SOLE SOURCE/ONE REASONABLE SOURCE**

The Purchasing Division is publishing this notice pursuant to the Broward County Procurement Code section, 21.25, Sole Source/Only Reasonable Source, and 21.26, Sole Brand. The Purchasing Division intends to award a contract without competition if it is determined to be in the best interest of the County. This is a Request for Information (RFI); it is not a request for pricing or a commitment to purchase.

Determination of Other Interested Vendors:

This Request for Information (RFI)/ Notice of Intent to Designate Sole Source/Sole Brand is intended to ascertain whether the commodity or service specified below is currently available from multiple providers/brands. The following products are thought to be available from only a single source/brand. Any such vendor must submit the following information:

1. The name of the interested party; and
2. A detailed explanation consisting of documentation showing that there are other qualified sources for the identified services herein.

Scope of Services/Background:

The Crisis Screening and Stabilization Unit (CSU) is the only 24-bed licensed psychiatric inpatient stabilization unit in Broward County that provides screening, assessment, treatment and stabilization of those individuals experiencing a severe emotional or psychiatric crisis who require a more restrictive setting. To ensure this critical service is available to the community, the County has funded services previously through our Sole Source/Sole Brand Request process.

Commodity/Service Required:

The County is seeking a licensed multi-bed psychiatric inpatient stabilization unit in Broward County that provides screening, assessment, treatment and stabilization of those individuals experiencing a severe emotional or psychiatric crisis who require a more restrictive setting.

If you are capable of meeting or exceeding the specification requirements for this product or equivalent, respond to this RFI/Notice of Intent to Designate Sole Source/Sole Brand through Periscope S2G.

Provide product literature via upload for any product to assist in determining if the product is comparable. The Director of Purchasing shall have sole authority in deciding what is comparable.

Prospective Vendors are requested to provide information regarding their ability to supply the commodities or contractual services described or written explanation or other documentation contesting the proposed designation as a Sole Source/Sole Brand. Prospective Vendors will be considered only if they provide documentation demonstrating that they are capable of meeting or exceeding the specification requirements stated herein.

All Vendor responses will be evaluated by the Director of Purchasing who shall have sole authority in establishing the approved equal status of the commodity or service offered by the vendor. The Director of Purchasing shall consider such submittals and notify all submitting vendors of the decision whether to designate as a Sole Source/Brand, which decision shall not be subject to objection, protest, or appeal.

Questions and Answers:

The County provides a specified time for Vendors to ask questions and seek clarification regarding the requirements of the solicitation. All questions or clarification inquiries must be submitted through Periscope S2G by the date and time referenced in the solicitation document (including any addenda). The County will respond to all questions via Periscope S2G.

Item Response Form

Item **GEN2126491F1-01-01 - Crisis Stabilization Services**

Quantity **1 contract**

Prices are not requested for this item.

Delivery Location **Broward County Board of County
Commissioners**

CH0066

COMMUNITY PARTNERSHIP DIVISION

GOVERNMENTAL CENTER

115 S ANDREWS AVENUE ROOM A360

FORT LAUDERDALE FL 33301

Qty 1

Description

No prices are requested as part of this response.

Question and Answers for Bid #GEN2126491F1 - Request for Information: Crisis Stabilization Services

Overall Bid Questions

There are no questions associated with this bid.