



Finance and Administrative Services Department

**PURCHASING DIVISION**

115 S. Andrews Avenue, Room 212 • Fort Lauderdale, Florida 33301 • 954-357-6066 • FAX 954-357-8535

Via Email Transmittal

September 6, 2024

Kevin Kaufman, Chief Financial Officer  
Netsmart Technologies, Inc.  
11100 Nall Avenue  
Overland Park, KS 66211

Re: Objection to Proposed Ranking – Request for Proposal (RFP) No. TEC2125292P1 – BARD  
Electronic Health Records Solution

The Broward County Purchasing Division (“Purchasing”) is in receipt of your firm’s timely objection letter dated August 19, 2024 and received on August 21, 2024, in objection of the Proposed Recommendation of Ranking for RFP No. TEC2125292P1, BARD Electronic Health Records Solution. The Proposed Recommendation of Ranking was posted on August 20, 2024, through August 22, 2024. This response letter includes the six (6) objection assertions specified and the County’s corresponding responses as follows:

**Objection Assertion No. 1:**

Your letter asserts “Of the 37 items from the functionality checklist in the RFP, only 18 were presented via demonstration.”

**County’s Response:**

Demonstration meetings were held on July 30, 2024. Each firm was equally allotted five (5) minutes for setup, thirty (30) minutes for their demonstration, and fifteen (15) minutes for questions and answers from the technical review team members and staff. The above noted durations were determined and approved by the Evaluation Committee members on the recommendation provided by the agency’s Project Manager, during the Initial Evaluation Committee Meeting held on July 23, 2024.

Due to the length of the Functionality Checklist far exceeding the time allotted for the demonstrations, vendors were required to focus on the core functionality shown in the Demonstration Priorities document, which was sent to each vendor by email on July 21, 2024, in advance of the demonstration meeting.

Project Staff produced a Vendor Demonstration Fact-Finding Report. The report indicates that each firm was able to demonstrate the functionality that is essential to a BARD Electronic Health Records Solution. The Demonstration Fact-Finding Report was distributed to the Evaluation Committee members for their review and consideration.

- Each firm was sent an email on July 21, 2024, and provided the same Demonstration Priorities document to be used during their thirty (30) minute demonstration.
- Each firm was provided the exact same amount of time (thirty (30) minutes) on July 30, 2024, to demonstrate the topics shown in the Demonstration Priorities document.
- Each firm was provided the exact same amount of time (fifteen (15) minutes) on July 30, 2024, for questions and answers following the demonstration.

Kevin Kaufman, Chief Financial Officer, Netsmart Technologies, Inc.  
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**Objection Assertion No. II:**

Your letter asserts “Due to the limited agenda and time constraints of the 30-minute vendor demonstration conducted on July 30, 2024, the Evaluation Committee was not provided ample time to fully assess solution capabilities that are critical to the successful operations of Addiction Recovery organizations.”

**County’s Response:**

The above noted time durations were determined and approved by the Evaluation Committee (EC) members on the recommendation provided by the agency’s Project Manager, during the Initial Evaluation Committee Meeting held on July 23, 2024. Refer to the response to Objection Assertion No. I for additional information regarding demonstrations.

**Objection Assertion No. III:**

Your letter states: “Examples of functionality included in the BARD RFP requirements, but not included in the demonstration agenda, include; Medication Reconciliation, ePrescribing and Orders Management, Pharmacy Integration, Reporting and Analytics, Form Building, Workflow Building, Restricting Access to records on a client level, Release of Information Management, Referral Management, and Discharge Planning and processes.”

**County’s Response:**

Refer to the response to Objection Assertion No. I and II.

**Objection Assertion No. IV:**

Your letter states: “During the closed portion of the Final Evaluation Committee meeting, Netsmart was asked if our proposed solution included an eMAR. While we did mark this requirement in the affirmative in our written RFP response, this functionality was not included in the demonstration agenda, and we believe the evaluation committee did not thoroughly assess the capabilities and value of this feature.”

**County’s Response:**

The EC has the responsibility to evaluate, score, and rank the Responsive and Responsible vendors based on the Evaluation Criteria in the advertised RFP. With regards to Evaluation Criteria No. 3.a and 3.b, the EC took into consideration not just the Demonstration Fact Finding Report, but also the vendor’s presentation, including the question-and-answer period, the submitted Functionality Checklist, and all other materials within the vendor’s submittal.

The scores for Evaluation Criteria No. 3.a and 3.b are as follows for Cantata Solutions, LLC and Netsmart Technologies, Inc.:

<b>Vendor’s Ability to Meet Functionality 3.a and 3.b (Total Maximum Points: 40)</b>			
<b>Vendor</b>	<b>EC Member Gerard John</b>	<b>EC Member Phyllis King</b>	<b>EC Member David Stouffer</b>
<b>Cantata Health Solutions, LLC</b>	<b>35</b>	<b>40</b>	<b>37</b>
<b>Netsmart Technologies, Inc.</b>	<b>30</b>	<b>40</b>	<b>32</b>

**Objection Assertion No. V:**

Your letter states: “During the closed portion of the Final Evaluation Committee meeting, we were also asked if our solution included Incident Tracking. While we did mark this requirement in the affirmative in our written RFP response, this functionality was not included in the demonstration agenda, and we believe the evaluation committee did not thoroughly assess the capabilities and value of this feature.”

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**County's Response:**

Refer to the response to Objection Assertion No. IV.

**Objection Assertion No. VI:**

Your letter states: "Additionally, according to the Evaluation Criteria from the RFP, section 5.a asks firms to provide references of a similar nature and scope to BARD. In compliance with this requirement, Netsmart provided nationally recognized clients who specialize in Addiction Recovery and have a similar nature and scope as BARD. The top vendor in point scoring (Cantata) provided 2 clients who specialize in Child and Family Services and Foster Care respectively. And a 3rd, providing general Behavioral Health services. We believe that the information provided by the top scoring vendor does not comply with the requirement of the RFP and therefore did not afford the County with sufficient information to accurately rank vendors in this category.

**County's Response:**

Vendors' response to evaluation criteria section 5.a is not a matter of responsiveness or responsibility. That section required vendors to provide a minimum of three completed projects with references "for projects of similar nature, scope, and duration, along with details of completion, both on time and within budget, within the past five years" and that "If similar projects have been completed for other Florida local governmental entities, include those projects in your list of past performance with the detail listed above." Cantata Health Solutions, LLC ("Cantata") met this minimum requirement to be evaluated and scored for section 5.a. It was within the discretion of the Evaluation Committee as to how they would score Cantata for section 5.a. based on the information provided.

**Conclusion:**

Upon review of the procurement record, the proceedings of the Evaluation Committee, and after consultation with the Office of the County Attorney, we find that the issues raised in the objection are not of sufficient merit to recall or otherwise alter the recommendation of the Evaluation Committee. No new substantive information was presented to warrant the reconvening of the Evaluation Committee. The evaluation and scoring of firms were conducted appropriately and within the established guidelines, practices, and procedures set forth in the Broward County Procurement Code, Ordinances, and existing guidelines. As such, the objection is denied.

We hope the above clarifications address each of your concerns. We understand the time and effort involved in submitting responses and the County appreciates Netsmart Technologies' participation in this procurement.

Respectfully,

**Robert  
Gleason**

Digitally signed by  
Robert Gleason  
Date: 2024.09.06  
09:08:56 -04'00'

Robert E. Gleason, Director  
Purchasing Division

REG/vs

Attachment

c: Gerard John, Director, Broward Addiction Recovery Division  
Jay Basail, Project Manager, Resilient Environment Department  
Connie Mangan, Assistant Director, Purchasing Division  
Sonia Lovett, Senior Purchasing Manager, Purchasing Division  
Vanessa Siedenbug, Purchasing Assistant Manager, Purchasing Division  
Fernando Amuchastegui, Senior Assistant County Attorney, Office of the County Attorney  
Sara Cohen, Assistant County Attorney, Office of the County Attorney



08/19/2024

Broward County Purchasing  
Attn: Robert Gleason, Director of Purchasing  
115 South Andrews Avenue, Room 212  
Fort Lauderdale, FL 33301

RE: Netsmart Objection to Ranking, TEC2125292P1 BARD Electronic Health Records Solution

Dear Mr. Gleason,

On 08/19/2024 Netsmart Technologies observed the official Recommendation for Ranking on the Broward County Purchasing website (<https://www.broward.org/Purchasing/Pages/RecommendationForRanking.aspx>) and it is our understanding that the vendor ranked #1 in points will be recommended for purchase and contract.

While Netsmart agrees that all vendors had equal opportunity in the process, we do not believe that vendors were provided ample time to adequately demonstrate their unique abilities to support the specific needs of an Addiction Recovery Center. As noted in more detail below, we believe that the Evaluation Committee was not provided the opportunity to evaluate critical information that could have significantly impacted the vendor ranking, thus impacting the County's ability to procure a solution that would best serve the needs of their employees and the community they serve.

Netsmart Technologies would like to address the following items:

- Of the 37 items from the functionality checklist in the RFP, only 18 were presented via demonstration.
- Due to the limited agenda and time constraints of the 30-minute vendor demonstration conducted on July 30, 2024, the Evaluation Committee was not provided ample time to fully assess solution capabilities that are critical to the successful operations of Addiction Recovery organizations.
- Examples of functionality included in the BARD RFP requirements, but not included in the demonstration agenda, include; Medication Reconciliation, ePrescribing and Orders Management, Pharmacy Integration, Reporting and Analytics, Form Building, Workflow Building, Restricting Access to records on a client level, Release of Information Management, Referral Management, and Discharge Planning and processes.
- During the closed portion of the Final Evaluation Committee meeting, Netsmart was asked if our proposed solution included an eMAR. While we did mark this requirement in the affirmative in our written RFP response, this functionality was not included in the demonstration agenda, and we believe the evaluation committee did not thoroughly assess the capabilities and value of this feature.
- During the closed portion of the Final Evaluation Committee meeting, we were also asked if our solution included Incident Tracking. While we did mark this requirement in the affirmative in our written RFP response, this functionality was not included in the demonstration agenda, and we believe the evaluation committee did not thoroughly assess the capabilities and value of this feature.

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- Additionally, according to the Evaluation Criteria from the RFP, section 5.a asks firms to provide references of a similar nature and scope to BARD. In compliance with this requirement, Netsmart provided nationally recognized clients who specialize in Addiction Recovery and have a similar nature and scope as BARD. The top vendor in point scoring (Cantata) provided 2 clients who specialize in Child and Family Services and Foster Care respectively. And a 3<sup>rd</sup>, providing general Behavioral Health services. We believe that the information provided by the top scoring vendor does not comply with the requirement of the RFP and therefore did not afford the County with sufficient information to accurately rank vendors in this category.

Based on this information, we attest that all statements are accurate, true and correct and we respectfully submit this letter to the Director of Purchasing, the CIO and the Evaluation Committee serving as our official objection to the scoring of TEC2125292P1 BARD Electronic Health Records Solution and request a comprehensive product demonstration for the top 2 vendors to ensure that best system is being selected, not just the least expensive.

Please advise of next steps in this process.

Respectfully,

*Kevin Kaufman*

Kevin Kaufman  
Chief Financial Officer

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