



## JUSTIFICATION FOR EXCEPTIONS TO COMPETITIVE PROCUREMENT

It is the policy of the Board that the County conduct an open, fair and full competitive solicitation process for the procurement of goods and/or services, with exemptions for certain goods, services and classes of procurement, and case-by-case exceptions, subject to a detailed review and approval process. The residents of Santa Clara County are best served when sound business decisions are made through a full and open competitive bidding processes. There may be certain instances when exceptions are warranted and justifiable. When a County agency/department recommends that competitive bidding is not practicable or in the best interest of the tax payers, appropriate justification supporting an exception must be submitted to the Procurement Department. Should you have any questions, please do not hesitate to contact: Matthew Hada, Director of Procurement at (408) 491-7401.

Date of Submission:	08/08/2023		
Submit Document via Requisition	Refer to the <a href="#">Contact and Commodity Assignment List</a> for buyer code guidance.		
<b>SECTION I</b> <div style="display: inline-block; border: 1px solid black; padding: 2px;">DS CS 2/6/2024</div> <div style="display: inline-block; border: 1px solid black; padding: 2px;">DS SD 2/6/2024</div>			
Proposed Contractor/ Consultant:	Supportive Housing Services Contractors: Abode Services, Community Solutions, The Health Trust, HomeFirst, People Assisting the Homeless (PATH), and Peninsula Healthcare Connection. 06/30/2028		
Total Estimated Value of the Award:		Start Date: 07/01/2023	End Date: <del>06/30/2026</del>
Description of Good/Service:	To provide Supportive Housing Services, including intensive case management and mental health services.		
User Budget Unit - Agency/Dept:	0168 - Office of Affordable Housing <input type="checkbox"/>	Agency/Dept Abbreviation:	CEO <input type="checkbox"/>
Name of Requestor:	Emee Banico		Phone #:

### SECTION II

Mark appropriate box for Contract's Signature Authority

<input checked="" type="radio"/>	Board of Supervisors
<input type="radio"/>	Delegated to Department Head or designee
<input type="radio"/>	Director of Procurement

### SECTION III

Pursuant to Board Policy 5.6.5.1 (D)(2), the following are **EXCEPTIONS** to competitive bidding. Select the appropriate exception. *Agencies/ Departments requesting an Exception must provide documentation to establish there is only one source or it is otherwise in the County's best interest to waive the required bidding procedures.*

<input type="radio"/>	<b>Sole Source:</b> Pursuant to Board Policy 5.6.5.1 (D)(2)(a)(i) a Sole Source Procurement is a sourcing method used to procure a service without competition when it has been determined that there is only one source for the required service that is capable of meeting the requirements of the acquisition as defined in the Scope of Work or specification.
<input checked="" type="radio"/>	<b>Single Source:</b> Pursuant to Board Policy 5.6.5.1 (D)(2)(a)(ii) a Single Source Procurement is a sourcing method used to procure a service from one source, without soliciting competition, even though there are other vendors that can provide the service as defined in the scope of work or specification.

## JUSTIFICATION FOR EXCEPTIONS TO COMPETITIVE PROCUREMENT

### SECTION III (cont.)

<input type="radio"/>	<b>Patent Rights:</b> Pursuant to Board Policy 5.6.5.1(D)(2)(b), competition is precluded because of the existence of patent rights, copyrights, secret processes, control of the basic raw material(s) or similar circumstances, and there is no equivalent item or service.	
<input type="radio"/>	<b>Absolute Compatibility:</b> Pursuant to Board Policy 5.6.5.1(D)(2)(c), the following are Exceptions to Competitive Procurement for Goods/Professional Services. Select the appropriate exception:	
	<input type="checkbox"/>	(i) Replacement parts or components for equipment – performs the same function in the equipment.
	<input type="checkbox"/>	(ii) Replacement parts or components for equipment – prevent compromise of safety or reliability of product or void or invalidate manufacturer’s warranty or guarantee.
	<input type="checkbox"/>	(iii) Upgrades, enhancement or additions to hardware or software - compatibility

### SECTION IV

**PURPOSE OF THE PURCHASE** - Please describe the minimum requirements and the benefits of making the acquisition.

The Behavioral Health Services Department (BHSD) has a need to provide intensive case management and other supportive services to chronically homeless families and individuals living in permanent supportive housing (PSH) developments. Supportive services may include providing assistance in obtaining and maintaining permanent housing, improving health, and increasing stability.

Currently, Abode (ABODE) Services, Community Solutions, The Health Trust, HomeFirst, People Assisting the Homeless (PATH), and Peninsula Healthcare Connection are supportive housing services contractors for PSH developments within Santa Clara County. These six contractors were selected as a result of RFP-MHS-FY16-0108: Supportive Services for the Chronically Homeless, which was released on January 8, 2016.

Depending on the contractor, PSH services may be funded from Measure A or grant from the Department of Housing and Urban Development (HUD). Measure A is specifically earmarked for services for clients enrolled in supportive housing programs, while awarded HUD grants require BHSD to provide supportive housing services to residents of specified programs under the contracts. Contractors that provide these behavioral health services leverage Specialty Mental Health Medi-Cal and Drug Medi-Cal dollars, and have current Specialty Mental Health Medi-Cal and Drug Medi-Cal certification or have the ability to become certified to provide reimbursable services before providing services to clients.

Additionally, Abode was selected on April 21, 2014, as a result of RFP-MHS-FY14-0408:Chronic Homelessness Pay for Success. to provide: 1) "Pay for Success Housing First Initiative" housing and non-clinical services and (2) MEdiCal reimbursable mental health clinical services.A six-year agreement was approved by the Board of Supervisors (on June 23, 2015) due to "Project Welcome Home" project timeline requirements.

The Supportive Housing Services programs support the County of Santa Clara Health System to achieve its Strategic Road Map goals by reducing the burden of illness, delivering coordinated and integrated care, and increasing self-sufficiency through the provision of supportive housing services that improve client experience and health outcomes for the chronically homeless.

## JUSTIFICATION FOR EXCEPTIONS TO COMPETITIVE PROCUREMENT

### SECTION V

**MARKET RESEARCH** - Please describe your market research and the results thereof. This should include a description of similar sources or products available in the market, if any, and why they are not acceptable.

Abode Services, Community Solutions, The Health Trust, HomeFirst, PATH, and Peninsula Healthcare Connection were the six contractors selected as a result of RFP-MHS-FY16-0108.

On January 8, 2016, BHSD issued a Request for Proposals (RFP) seeking qualified proposers to submit proposals to provide Supportive Services to the Chronically Homeless. On April 27, 2016, the six contractors were selected to enter into contract negotiations. After successful negotiations, each of the six contractors entered into their own master Short-Doyle/Mental Health Services Act (SD/MHSA) contract with BHSD.

The RFP-MHS-FY16-0108 noted that should the need to expand Supportive Housing Services materialize, the County may consider identifying additional funding. Additionally, the RFP noted that in the best interest of the County, and at its sole discretion, the County reserves the right to select additional vendors from this RFP and/or increase capacity of existing vendors. As such, when new PSH developments are being built, and supportive services are being planned for these developments, the six contractors are notified to inquire if they are interested in providing the services. Should more than one contractor express interest, they are all interviewed by the County Office of Supportive Housing (OSH). After OSH deliberates with the housing developers, a contractor is chosen to provide services and the new program is added to the contractor's master SD/MHSA contract.

On April 21, 2014, BHSD issued a RFP seeking qualified proposers to submit proposals to provide Chronic Homelessness Pay for Success services via RFP-MHS-FY14-0408. On July 18, 2014, Abode was selected to enter into contract with BHSD. The resulting contract was approved as a six-year agreement from July 1, 2015-June 30, 2021.

June 30, 2021 marks the end of the solicitation cycles for the current programs selected under RFP-MHS-FY16-0108. The BHSD originally planned to include the PSH and Chronic Homelessness Pay for Success programs in a Fiscal Year (FY) 2021 release RFP (for FY 2022 start date). However, the RFP release was postponed and is anticipated to be released in FY 2023 (for FY 2024 start date) in order to complete a strategic redesign of the BHSD's system of care for adults and older adults who have serious mental illnesses or co-occurring substance use disorders. Additionally, most BHSD staff and contractors have been fully engaged in adjusting services, operations, and budgets to meet organizational, and community stakeholders needs because of the recent effects from the pandemic (COVID-19) and voluntary separations of BHSD members. As such, BHSD's and partner contractor's capacity to issue respond to, manage, and complete a new solicitation was severely limited. On February 2021, the Office of the County Executive approved the postponement of the RFP.

Since June 30, 2021 marks the end of the 5-year solicitation cycle for the current PSH programs selected under RFP-MHS-FY16-0108, the current programs included in the master SD/MHSA agreements as of February 2021 have Beyond 5 Year (B5Y) approvals through June 30, 2022, approved by the Office of Countywide Contracting Management (OCCM).

This Single Source would be valid for any new Supportive Housing Services programs that were not included in the B5Ys and/or are newly added programs (from March 2021 through June 2023) to the Abode Services, Community Solutions, The Health Trust, HomeFirst, PATH and/or Peninsula Healthcare Connection SD/ MHSA master agreements. Additionally, the Single Source would be valid for Abode's Chronic Homelessness Pay for Success ( Pay Welcome Home ) program from July 1, 2021 through June 30, 2023.

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### SECTION VI

**BEST INTEREST OF THE COUNTY** – Please provide a detailed description as to why a waiver of formal bidding is in the County’s best interest (e.g. product standardization, compatibility, proprietary access or distributorship and the consequences of not doing so. NOTE: *A lack of advance planning, loss of funding, or insufficient time are not an acceptable justification for exceptions.*)

Over the last five years, the County has partnered with its service providers to establish and expand a system of supportive housing, shelter, and services for homeless individuals and families. A key component of this system is the county-wide network of supportive housing and PSH programs that serve chronically homeless and other special needs populations. With the support of the Board of Supervisors, and with a collaboration between OSH and BHSD, the network known as Care Coordination Project (CCP) has been able to greatly expand its services to provide PSH to chronically homeless Santa Clara County residents. In 2012, the network had the capacity to serve 80 chronically homeless individuals. Currently, the CCP has the capacity to serve about 1,800 chronically homeless individuals or families.

In FY 2017, the County implemented a strategy to enable the housing service providers to provide specialty mental health services, leveraging Short-Doyle Medi-Cal funds and expanding the specialty mental health system. As a result, 84% percent of households in Santa Clara County that receive PSH services through the PSH system are now able to retain their housing for 12 months or longer, indicating that this strategy has been successful.

An Open Single Source exception is in the County’s best interest for the following reasons:

- 1) Abode Services, Community Solutions, The Health Trust, HomeFirst, PATH, and Peninsula Healthcare Connection have successfully completed the competitive procurement process and were selected via RFP-MHS-FY16-0108, and Abode Services was selected for Chronically Homelessness Pay for Success services via RFP-MHS-FY14-0408;
- 2) Additional PSH and Chronic Homelessness Pay For Success programs contribute to reduce the burden of mental illness and increase self-sufficiency among the chronically homeless population; and,
- 3) Additionally, BHSD is focused on ensuring that all programs within the entire System of Care are coordinated and aligned to ensure that the most appropriate level of care and service is provided and coordinated for beneficiaries in Santa Clara County. This includes services targeted to adults with substance use conditions, those involved in the criminal justice system and those who are unhoused. The new System of Care would: a) use service teams that integrate mental health and substance use services and funding sources; b) reflect and maximize projected reductions in the availability of County General Funds (CGF) and Mental Health Services Act (MHSA) funds; and c) incorporate housing strategies in all service levels. With additional time, a more comprehensive RFP containing the needed levels of service with built-in flexibility will improve efficiency and quality of services available to beneficiaries.

### SECTION VII

**FUTURE PLANS** - Please describe the actions the department/agency will take to overcome the present barriers to competition prior to any future purchases of this product or service if this exception is approved.

The BHSD will continue to monitor the market to ensure that if other products become available that can accommodate the specific needs of the BHSD. The BHSD plans to release a RFP for Supportive Housing Services in FY 2023.



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### SECTION VIII

**SCOPE OF WORK/SPECIFICATIONS** - Please provide all scopes of work or stated specifications. Use an attachment for additional pages. SOW must include these elements: Objective (well-defined, quantifiable expected results include any significant deliverables & milestones) and Scope (what the work should or should not include; brief description of services desired; location of work). Do not include contract language vendor information or pricing.

#### I. Description of Services and Goals:

A. The program is intended to provide intensive case management (ICM) services for chronically homeless individuals that are tenants of the PSH development.

B. The programs utilize the United States Department of Housing and Urban Development's (HUD) definition of chronic homeless as published in the Federal Register on December 4, 2015 in 24 CFR Parts 91 and 578.

#### II. Scope of Work

##### A. Assessment and Planning:

1. Conduct assessments to identify needs, eligibility for entitlement programs (e.g., General Assistance), and self-sufficiency needs;
2. Maintain appropriate levels of engagement and sustain client's belief in recovery; and
3. Develop client-centered service plans to obtain and retain housing, improve health conditions, improve daily living activities, increase meaningful daily activities, and to achieve long-term stability.

##### B. Housing Attainment and Retention:

1. Help clients obtain and maintain permanent housing by assisting with rental application processes, appeals, and making referrals

to services that would facilitate tenancy (e.g., financial education programs for those who have been accepted on a credit appeal);

2. Assist clients with their move-ins, including coordinating furniture and move-in kits;
3. Prior to and during tenancy, provide clients with the skills/knowledge that are necessary to be successful tenants;
4. Mediate disputes between the participant, property management and/or other residents;
5. Respond to crises identified by the client, the property management/owner, or other persons (as appropriate) within one (1) business day; and
6. Perform wellness checks when needed.

##### C. Health and Behavioral Health:

1. Provide or help clients access primary care, specialty care, dental care, and behavioral health services; and
2. Coordinate health services or support health care providers in their efforts to coordinate health services.

##### D. Income and Other Supportive Services:

1. Assist clients in applying for assistance programs, including but not limited to, benefits, entitlement programs assistance, and utilities discounts;
2. Help clients access employment services, job training, and/or volunteering opportunities;
3. Identify, encourage, and help clients connect to social support networks; and
4. Assist clients with transportation needs.

#### III. Performance Standards:

A. Oversee the transfer of clients to step-down programs when their stability and health no longer necessitate ICM services;

B. Provide reports and data, as requested, based on services and referrals provided;

C. Reconnect participants to ICM services when warranted by the status of their tenancy and/or their health conditions;

D. Adhere to Homeless Management Information System (HMIS) standards:

E. Collect and maintain all client records in HMIS;

F. Enter data into the HMIS within 24-hours of enrollment, complete the Standardized Client Informed Consent & Release of Information Authorization form in accordance with HMIS policies;

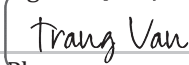
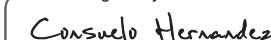
G. Ensure the accuracy of information entered into HMIS;

H. Create, maintain, and secure onsite client files; and

I. Run reports through HMIS to verify client's current status and program involvement

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### SECTION IX

Requesting Agency/Department Contracts Manager:	Print Name: Trang Van  Signature:  8/8/2023 Phone: 408-278-6426 Email: trang.van01@hhs.sccgov.org
Requesting Agency/Department Director:	Print Name: Consuelo Hernandez  Signature:  8/8/2023


### SECTION X

#### Decision and Required Steps Following Decision (to be completed by OCCM or Procurement)

<input checked="" type="radio"/>	Approved  Maximum 5 year term.	<input checked="" type="radio"/> Attach to Legislative File <input type="radio"/> Attach to Delegation of Authority Coversheet <input type="radio"/> Attach to Service Agreement Checklist <input type="radio"/> Attach to PO/Contract File
<input type="radio"/>	Approved with Conditions	Comments:
<input type="radio"/>	Additional Information Required	Comments:
<input type="radio"/>	Denied with Recommended Action	Comments:

### SECTION XI

#### Office of Countywide Contracting Management/Procurement Department Signature

DocuSigned by:  CEA090A27EB84EA...	Date: 8/8/2023
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