



APPROVAL REQUEST FOR A BEYOND 5 YEAR CONTRACT TERM

Date of Submission:	4/22/2024		
User Agency/Department(s):	Behavioral Health Services	Budget Unit #:	415

SECTION I

☐ REQUEST TO SOURCE A NEW CONTRACT BEYOND FIVE YEARS IN TERM

Complete this section only if sourcing a new contract that will exceed a five-year term and proceed to Section IV. If you are extending an existing contract, please continue to Section II.

Anticipated Contract Start Date:		Total Length of Term: (In months, excluding extension options)	
Anticipated Contract End Date:			
Comments:			
Budgeted Amount of Project:	\$		
Proposed Contractor Name:			
Description of Goods or Services:			

SECTION II

☒ REQUEST TO EXTEND EXISTING CONTRACT BEYOND FIVE YEARS IN TERM

Complete Sections II and III only if extending an existing contract beyond a five-year term.

Contract/PO Number:	CW2232919		
Contractor Name:	Netsmart Technologies, Inc. Solutions		
Current Contract Start Date:	05/21/2019	Current Contract End Date:	05/20/2024
Total Current Value of Agreement:	\$ 21985830.31		
Description of Goods or Services:	Provide myAvatar hosting, on-going subscription, software licenses, and professional service		

SECTION III

PROPOSED CONTACT EXTENSION DETAILS

If extending an existing contract beyond a five-year term, please provide details on the proposed extension.

Recommended # of Months Extension:	60
Recommended End Date:	05/20/2029
Recommended Additional Contract Value:	\$ 15095661.51
Recommended Total Contract Value:	\$ 37081491.82



APPROVAL REQUEST FOR A BEYOND 5 YEAR CONTRACT TERM

SECTION IV

PREAPPROVAL HISTORY

Please attach a copy of all previously signed preapproval forms for this contract (e.g., Justification for Exception to Competitive Procurement, Request for a Beyond 5 Year Contract Term, etc.) with your submission.

What is the acquisition method used to source this contract? **Exception - Single Source**

Has an Approval Request for a Beyond 5 Year Contract Term been approved for this contract previously?

☒ Yes

☐ No

If yes, how many times has this contract been previously approved for a Beyond 5 Year Contract Term? **1**

SECTION V

Mark appropriate box for Contract's Signature Authority

☒

Board of Supervisors

☐

Delegated to Department Head or designee

☐

Chief Procurement Officer/Director of Procurement or Designee

SECTION VI

Pursuant to Board Policy 5.4.5.4, **EXCEPTIONS** to the maximum 5-year term limit for Professional Services are listed below. Select the appropriate exception(s).

- | | |
|----------------------------------|--|
| <input type="radio"/> | (1) When the funding source for a contract provides that the contract term must exceed five years. Such funding sources may include the State or Federal government or an outside funding source (private or foundation grant). |
| <input type="radio"/> | (2) When the County "piggybacks" on another jurisdiction's contract that is more than five years or that is subsequently extended for more than the initial five-year term. |
| <input type="radio"/> | (3) When a specific law, code or regulation requires that a particular type of contract include certain contract terms(s) that exceed 5 years. Please provide a specific citation below. |
| <input type="radio"/> | (4) Contracts for goods, which includes equipment, that have a lifespan that exceeds five years and the benefits to the County of exceeding a five-year term outweigh the benefits of creating and executing a new contract after five years |
| <input checked="" type="radio"/> | (5) Contracts for technology software or hardware that have a lifespan exceeding five years and the benefits to the County of exceeding a five-year term outweigh the benefits of creating and executing a new contract after five years |
| <input type="radio"/> | (6) Proprietary maintenance contracts. |
| <input type="radio"/> | (7) Contracts for project-specific professional services where the length of the project is expected to exceed five years. |
| <input type="radio"/> | (8) Revenue contracts. |
| <input type="radio"/> | (9) Contracts with other governmental entities. |
| <input type="radio"/> | (10) When an Agency/Department is otherwise able to justify that it is in the County's best interest to exceed the maximum 5-year term requirement. For example, an Agency/Department is able to demonstrate that the financial and/or programmatic impact on the County would be significant if the contract term does not exceed the maximum 5-year term requirement [Specific rationale must be provided in Section VIII, below]. |



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SECTION VII

Provide a narrative explanation below:

A. BACKGROUND (Describe the good or services procured)

Behavioral Health Services Department (BHSD) is recognized as an innovative leader in the behavioral health field as demonstrated through leading the nation's first Pay for Success Project in Mental Health, implementing allcove, a prevention/early intervention program for children and youth based on Australia's headspace model, and providing a robust mental health and substance use continuum of care across the lifespan.

BHSD employs approximately 850 Full Time Equivalent (FTE) staff, contracts with a large, community-based provider network and manages an annual budget of approximately \$730 million. To improve its business operation, BHSD installed an Office of the National Coordinator (ONC) certified electronic health record (EHR) called myAvatar in September 2020. The "go-live" for County operated clinics and all billing began in September 2020, and in Fall 2021, BHSD began the County Contracted Provider (CCP) transition from UniCare for billing services. Netsmart Technologies, Inc. Solutions (Netsmart) provides the myAvatar EHR, EHR services, licensing, subscriptions, and hosting. Netsmart provides BHSD a comprehensive and integrated system that offers optimal analytics, managed care functionality, quality system improvement, and electronic billing solution with payors that include Medi-Cal. This EHR system is compliant with State and Federal requirements for 42 Code of Federal Regulations (CFR) Part 2, which prohibits the disclosure of information that identifies a person as having, having had, or referred for a substance use disorder treatment without the client's consent unless a Part 2 exception applies.

B. CONTRACT HISTORY, if applicable. (How was the contract awarded? What were the events that occurred prior to the end of the contract term?)

On May 21, 2019, the County awarded a contract to Netsmart for a suite of software, hardware, and services for the implementation of a complete myAvatar Electronic Health Record (ERH) System for Behavioral Health Services. The term of the agreement is from May 21, 2019 through May 20, 2024, with a Not-to-Exceed (NTE) of \$13,451,000.

On January 3, 2020, the First Amendment was approved to increase the NTE to \$13,636,000 which represents an increase of \$185,000 from the prior NTE of \$13,451,000.

On April 4, 2020, the Second Amendment was approved to increase the NTE to \$13,893,333.34 which represents an increase of \$257,333.34 from the prior NTE of \$13,636,000.

On May 12, 2020, the Third Amendment was approved to increase the NTE to \$19,555,197.45 which represents an increase of \$5,666,864.11 from the prior NTE of \$13,893,333.34 and added several exhibits.

On May 21, 2022, the Fourth Amendment was approved to increase the NTE to \$20,042,830.31 which represents an increase of \$487,632.86 from the prior NTE of \$19,555,197.45.

On December 13, 2022, the Fifth Amendment was approved to increase the NTE to \$21,985,830.31 which represents an increase of \$1,943,000 from the prior NTE of \$20,042,830.31

On January 1, 2024, the Sixth Amendment was approved for a short term extension to the term for the RMC, Consulting, and AMS Services for CalPM and MSO. There was no increase to the NTE.

On February 29, 2024, the Seventh Amendment was approved to replace the Supplemental Statement of Work and add Exhibit A that revises County terms and conditions. There was not increase to the NTE.



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C. REASONS FOR CONTRACT TERM EXTENSION (Provide an explanation to support your selection in Section VI, including any relevant market research)

With no change to the scope of the existing Agreement, the Beyond 5 Year Contract Term extension would allow for a term extension through May 20, 2029. The two primary, complementary, Agreements with Netsmart are Agreement #CW2232919 and #CW2224959. Netsmart myAvatar is the single most important platform for all BHSD business at this time. It is the the Electronic Health Record for all County provided services. It is additionally the Claiming system for the entire BHSD network of County and County Contracted Providers (CCPs) on both the Mental Health Plan (MHP) and Drug Medi-Cal - Organized Delivery System (DMC-ODS), or SUTS, Systems.

Netsmart developed myAvatar EHR specifically for Behavioral Health Services. MyAvatar includes specific modules to meet the unique billing and regulatory requirements of California counties. Netsmart is uniquely qualified to provide such a technology service, as it is the leader in the industry and has provided technology to over 26,000 other Behavioral Health and post-acute organizations, as well as 26 of California's counties. Seventy percent (70%) of patient services are managed by Certified Contract Providers (CCPs) who have EHR systems of their own. With implementation of the Netsmart myAvatar comprehensive solution for BHSD, interoperability will be needed with the CCPs. (see attachment for additional information)

D. RECOMMENDATION TO CURE ISSUE(S) (If applicable)

BHSD would continue to research the market for behavioral health EHR systems that meet the Department's requirements.

SECTION VIII:

SOURCING PROJECT DETAILS

If your preapproval is requesting additional time to conduct a solicitation or source a successor contract, please outline your anticipated project schedule below. Include any relevant information on the sourcing project to date, such as the Master Acquisition List (MAL) ID number, draft of ICP preapproval request, or other references that may demonstrate progress on the sourcing project.

N/A



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SECTION IX

Requesting Contracts Manager:	Print Name: Angeleah Macatiag
	Signature:
Requesting Agency/Department Director:	Print Name: Sherri Terao
	Signature:
Centralized Procurement Division Manager: <i>(If applicable)</i>	Print Name: Scott Zimmer
	Signature:

SECTION X

DECISION AND REQUIRED STEPS FOLLOWING DECISION (To be completed by OCCM)

<input type="radio"/>	Attach to Service Agreement Checklist/Cover Sheet	<input checked="" type="radio"/>	Attach to Legislative File
<input type="radio"/>	Attach to PO/Contract File	<input type="radio"/>	Attach to Delegation of Authority Cover Sheet
<input checked="" type="radio"/>	Approved	Comments:	
<input type="radio"/>	Approved with Conditions	Comments:	
<input type="radio"/>	Returned for Possible Reconsideration	Comments:	
<input type="radio"/>	Denied	Comments:	

SECTION XI

Office of Countywide Contracting Management Approval	Initials
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SECTION XII

Office of Countywide Contracting Management Signature

Signature <div style="text-align: right; margin-top: 20px;">on behalf of Ky Le, Deputy County Executive</div>	Date <div style="text-align: center; margin-top: 20px;">4/23/2024</div>
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Description of Goods or Services:			

SECTION II

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Complete Sections II and III only if extending an existing contract beyond a five-year term.

Contract/PO Number:			
Contractor Name:			
Current Contract Start Date:		Current Contract End Date:	
Total Current Value of Agreement: \$			
Description of Service:			

SECTION III

PROPOSED CONTACT EXTENSION DETAILS

If extending an existing contract beyond a five-year term, please provide details on the proposed extension.

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Recommended End Date:	
Recommended Additional Contract Value: \$	
Recommended Total Contract Value: \$	



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Yes

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SECTION V

Mark appropriate box for Contract's Signature Authority

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Board of Supervisors

☐

Delegated to Department Head or designee

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Director of Procurement

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C. REASONS FOR CONTRACT TERM EXTENSION (Provide an explanation to support your selection in Section VI, including any relevant market research)

D. RECOMMENDATION PLAN TO CURE ISSUE(S) (If applicable)

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SECTION IX

Requesting Contracts Manager:	Print Name:
	Signature:
	Phone:
	Email:
Requesting Agency/Department Director:	Print Name:
	Signature:

SECTION X

DECISION AND REQUIRED STEPS FOLLOWING DECISION
(to be completed by OCCM or Procurement)

<input type="checkbox"/>	Approved	<input type="checkbox"/>	Attach to Legislative File
		<input type="checkbox"/>	Attach to Delegation of Authority Cover Sheet
		<input type="checkbox"/>	Attach to Service Agreement Checklist/Cover Sheet
		<input type="checkbox"/>	Attach to PO/Contract File
<input type="checkbox"/>	Approved with Conditions	Comments:	
<input type="checkbox"/>	Returned for Possible Reconsideration	Comments:	
<input type="checkbox"/>	Denied	Comments:	

SECTION XI

Office of Countywide Contracting Management Approval	Initials
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SECTION XII

Office of Countywide Contracting Management Signature

Signature	Date
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Section VII C, Reasons for Contract Term Extension (cont'd)

In order to meet managed care, billing, and state reporting needs, the CCPs must be able to safely and reliably send billing, state reporting and capacity management data from their individual EHRs to the County of Santa Clara Netsmart myAvatar system. Netsmart's ProviderConnect Enterprise will allow the CCPs that have an EHR to interoperate with the BHSD system avoiding duplicate data entry and minimizing error correction processes created by batch file.

The last 4-5 years have largely been spent setting up this large implementation for all of BHSD, integrating the system with the CCPs (which significantly leveled up the data sharing in the system and introduced a large number of efficiencies), and most recently adapting the whole system to the myriad changes related to CalAIM. The many teams involved in supporting the platform are now working to optimize and streamline the system. The vendor has been very involved and is responsive to the department. Considering changing course on this large implementation in the near future would be extremely costly and would likely be detrimental to BHSD in many substantial ways including having impacts on client care.