



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:	
Submit Document via Requisition	Refer to the Contact and Commodity Assignment List for buyer code guidance.

SECTION I

Proposed Contractor/ Consultant:	Los Gatos Therapy Center dba LGTC Group				
Total Estimated Value of the Award:	\$ 429,415.00	Start Date:	02/27/2024	End Date:	06/30/2025
Description of Good/Service:	Contractor to provide residential eating disorder mental health services.				
User Budget Unit - Agency/Dept:	0415 - Behavioral Health Services	Agency/Dept Abbreviation:	HHS		
Name of Requestor:	Julianne Reyes	Phone #:	(408) 593-7050		

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"/>	Sole Source: 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"/>	Single Source: 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.

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SECTION III (cont.)

<input type="radio"/>	Patent Rights: 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"/>	Absolute Compatibility: 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.

As the County’s Mental Health Plan (MHP) administrator, the Behavioral Health Services Department (BHSD) is required by the State of California to serve youth and adults in need of eating disorder treatment services. The State of California categorizes anorexia and bulimia as conditions eligible for “medically necessary” specialty mental health services. The California Mental Health Parity Act (MHPA), as codified in California Health and Safety Code (Cal. Health & Safety Code) § 1374.72 and California Insurance Code (Cal. Ins. Code) § 10144.5 require state-regulated health plans to provide medically-necessary services to treat severe mental illnesses and childhood severe emotional disturbances.

Eating disorders are severe and life-threatening illnesses. Those who suffer from these illnesses may experience serious disturbances in their mental health, cognition, and physical health, which can lead to devastating consequences, including death. Statistics on mortality and eating disorders underscore the impact of these disorders and the importance of treatment.

The BHSD requires an additional provider of residential eating disorder treatment services in response to increased demand for these services. Minimum requirements necessary for this level of care include the following:

- Treatment facility located either within the bounds of Santa Clara County or within 15 miles of the County's geographic border;
- Ability to serve youth patients between 12-17 years old;
- Facility designated as a Eating Disorder Residential Treatment Center; and
- Accreditation by either The Joint Commission or the Commission on the Accreditation of Rehabilitation Facilities (CARF)

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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.

The BHSD has conducted three (3) competitive solicitations (shown below) for providers to provide various levels of Eating Disorder Treatment Services that included Residential Treatment Services, Partial Hospitalization Program (PHP), Intensive Outpatient (IOP), and standard Outpatient (OP) services. In addition, the BHSD has conducted the additional market research outlined in Attachment A.

1. RFSQ-BHS-FY20-0115 - released on November 15, 2019:
 - a. Three (3) proposals were received and evaluated.
 - b. Two (2) contracts awarded to Cielo House and The Healthy Teen Project as result of the solicitation.
 - c. One (1) proposer (Castlewood) resulted in failed negotiations.
2. RFP-BHS-FY19-003 - released on August 1, 2018:
 - a. One (1) proposal was received and evaluated.
 - b. Did not result in a contract award as the proposal did not meet the required criteria.
3. ICP-BHS-FY18-001 - released on July 18 2017:
 - a. No responses were received.

LGTC Group did not participate in these solicitations as they did not have a facility that provided residential eating disorder services at that time. However, recently LGTC Group has opened a new facility in Los Gatos to provide these services, which fulfills the BHSD's requirement for a local provider within our County limits. Each of the alternative providers researched by the BHSD failed to meet one or more of the requirements outlined in Section IV (please see Attachment A for full details).

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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.)

The BHSD requires a contract with LGTC Group in order to expand its capacity for residential treatment programs that focus on eating disorder services specific to youth. A therapeutic milieu of youth is essential for those youth patients who are or may be struggling with issues of identity and autonomy. It would be optimal to continue treatment without transitioning to a different provider for transitional-aged youth (TAY) who are crossing from childhood to adulthood. Additionally, educational needs of youth are not addressed in adult-only programs.

Failure to approve this request would result in the BHSD's inability to serve seven (7) additional youth patients in need of residential eating disorder services and may result in higher expenditures for acute care services due to the youths' medical and psychological decline.

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 understands that there is currently an overall shortage of eating disorder service providers nationwide, but will continue to maintain and build strong connections with existing organizations while actively pursuing new providers. As additional providers are made available, the BHSD will work to incorporate them into our network of care through the County's competitive procurement processes. The BHSD requests approval of this SSJ through June 30, 2025, whereupon RFSQ-BHS-FY20-0115 shall reach its five-year term. The BHSD plans to issue a new competitive solicitation with an anticipated start date of July 1, 2025 to prevent gaps in services.

Please note that the funding estimate on this form covers only the estimated spend for the remainder of Fiscal Year 2024.



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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. Contractor shall provide residential treatment services for Clients as agreed to by the parties.
- B. Contractor shall complete an initial assessment and develop a personalized Treatment Plan within five (5) days of Clients' admission to the residential facility. This treatment plan shall be tailored to fit the Clients' diagnoses and treatment needs. Treatment plan shall include measurable and time bound goals, objectives and intervention plan.
- C. Contractor shall follow weekly treatment schedules which include individual and family therapy sessions, psychiatric and medical consultations (which will include access to labs, frequent monitoring of vitals and medication administration/compliance), individual nutrition sessions, daily to weekly weigh-ins, monitoring of calorie intake and therapeutic groups. Therapeutic groups can include hands-on food exposure, nutritional education, dialectical behavioral therapy, family based treatment, behavioral management, body image groups, communication skills training, self-regulation skills, exercise support as appropriate, relapse prevention group, and continuing care and after care/transitioning planning.

II. DELIVERIES AND MILESTONES:


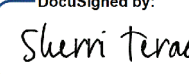
- A. Contractor's services shall be provided in a residential environment where Clients can be monitored for eating disorder, and medical conditions. This includes, but is not limited to, access to doctors, frequent monitoring of vitals and medication administration and adherence, and access to labs as necessary. Clients shall be provided with individual, group or family therapy as needed to improve their physical and mental health condition and to avoid hospitalization and further medical conditions needing higher level of care.
- B. Contractor shall provide thorough information about treatment, including comprehensive summaries and treatment goals to the Clients' team of providers (e.g., including those outside the residential facility) comprised of the Clients' primary care physician, outpatient eating disorder specialist, psychiatrist and clinicians. Regular ongoing communication and consultation shall allow for the smooth transition of services from residential treatment to outpatient services.
- C. Contractor shall provide regular updates to the Behavioral Health Services Department (BHSD) Eating Disorder Coordinator regarding Clients' estimated length of stay at residential facility upon initial assessment, within one week of admission, and on an-ongoing basis upon progress in treatment.
- D. Contractor shall immediately (within 24 hours) report any changes in the Clients' medical or mental health condition requiring higher level of care including medical or psychiatric hospitalization to the BHSD Eating Disorder Coordinator.
- E. Contractor shall work with this Clients' outpatient team of providers in facilitating discharge and transition to outpatient services and providers. Contractor shall inform the BHSD Eating Disorder Coordinator and Clients' outpatient providers of planned discharge date. Contractor shall assist Clients in scheduling follow-up outpatient appointments prior to Clients' discharge. Contractor shall provide discharge summary to the Eating Disorder Coordinator at Clients' discharge.
- F. Contractor shall provide the initial assessment and the Clients' Treatment Plan to BHSD staff within 7 days of Clients' admission.

III. PERFORMANCE STANDARDS:

- A. Contractor shall provide services in an efficient and timely manner to improve Clients' physical and mental health condition and to avoid hospitalization and further medical conditions needing higher level of care.
- B. Contractor's treatment team shall coordinate and monitor treatment for the Clients and shall consult with other providers as needed.
- C. Licensed and unlicensed staff shall uphold to the legal and ethical standards of their profession.
- D. Contractor shall contact the County BHSD Eating Disorder Coordinator regarding any additional treatment requests prior to treatment provided. In the event where Clients require unplanned medical procedure or mental health treatment/ intervention, Contractor shall take all reasonable measures to contact the BHSD Eating Disorder Coordinator in the timeliest manner.
- E. County representatives, including the BHSD Eating Disorder Coordinator, reserve the right for periodic visitations to the residential facility for the purpose of care coordination, monitoring of services, and to ensure that Clients are receiving highest level of quality care.

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SECTION IX

Requesting Agency/Department Contracts Manager:	Print Name: Angeleah Macatiag
	Signature:  ED384900DB3C44F...
	Phone: 669-235-2152
	Email: Angeleah.Macatiag@hhs.sccgov.org
Requesting Agency/Department Director:	Print Name: Sherri Terao
	Signature:  DAB699BA2A1544D...


SECTION X

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

<input type="radio"/>	Approved	<input type="radio"/>	Attach to Legislative File	Direct
		<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 checked="" type="radio"/>	Approved with Conditions	Comments: Conditional Approval contingent on FERC approval. No agreement will be signed without FERC approval. Approval is for the Term requested, after which the BHSD MUST compete this service. No amendments for extensions should be allowed without justification.		
<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

 CEA090A27EB84EA...	Matthew Hada Director of Procurement	Date: 2/6/2024
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MARKET RESEARCH FOR Eating Disorder/Residential

Completed On: 12/7/2023

CONTRACTOR NAME (Agency Name), Email/Phone#, Website	Location within SCC or 15 miles or 30 minutes.	Eating Disorder Residential Treatment Center (RTC) Specialty	Ability to Serve Youth 12-17 years old.	Accreditation	BHSD Recommendations/ Comments
Lost Gatos Therapy Center, Eugene Tilman Exe Director eug@lgtc.net 408-505-1873 www.Lgtcgroup.com	Yes	Yes	Yes	licensed by the Department of Social Services as a group home and accredited by CARF as a specialized residential treatment center for eating disorders	Recommend: LGTC is a leading specialty clinic in Santa Clara County that services both youth and adults for eating disorder behaviors. The County of Santa Clara currently contracts with LGTC's PHP, IOP, and OP levels of care, and they have established best care practices. LGTC serves youth within the requested target age group and their location is within 15 miles 30 minutes for our Medi-Cal members.
Montecatini Eating Disorder Treatment Center Lynette Kalama Lynette.Kalama@montecatiniEDTC.com 908-472-3262	No	Yes	No	Licensed by DPHS and accredited by CARF	Do not Recommend: The provider does not serve the target age group that is currently needed. Provider is out of the geographical



COUNTY OF SANTA CLARA

Behavioral Health Services

Supporting Wellness and Recovery

CONTRACTOR NAME (Agency Name), Email/Phone#, Website	Location within SCC or 15 miles or 30 minutes.	Eating Disorder Residential Treatment Center (RTC) Specialty	Ability to Serve Youth 12-17 years old.	Accreditation	BHSD Recommendations/ Comments
WEBSITE : https://www.montecatiniea-tingdisorder.com/					location for our SCC Medi-Cal members.
Monte Nido & Affiliates Sabrina Burnett sburnett@managedcareconsultants.net 512-944-9217	No	Yes	No	Congregate Living Health Facility license from CA Dept of Health as well as accreditation from The Joint Commission.	Do Not Recommend: The provider is 49 miles away from Santa Clara County, which would burden our youth and families in accessing services. Provider only treats 18+, and BHSD requires the provider to serve youth 12-17 RTC services.
Alsana - An Eating Disorder Community KerryLynn Baca-Pelphrey Director Payer Contracting Kerrylynn.baca@alsana.com M: 435-229-5168 www.Alsana.com	No	Yes	No	Joint Commission Accredited Facility	Do Not Recommend: Provider currently only serves adults 18 + in their RTC program. BHSD is requiring providers to serve youth 12-17 years of age.



COUNTY OF SANTA CLARA

Behavioral Health Services

Supporting Wellness and Recovery

CONTRACTOR NAME (Agency Name), Email/Phone#, Website	Location within SCC or 15 miles or 30 minutes.	Eating Disorder Residential Treatment Center (RTC) Specialty	Ability to Serve Youth 12-17 years old.	Accreditation	BHSD Recommendations/ Comments
Reasons Eating Disorder Center, Shannon Braasch, Director of Intake, Business Development and Alumni Services, Shannon.Braasch@uhsinc.com www.reasonsedc.com 626.286.1191 ext. 250	No	Yes	Yes	Joint Commission Accredited	Do Not Recommend: The provider is located outside of the service location for our Santa Clara County members. Provider only offers inpatient care for the target age group of interest. Providers RTC only serves 18 +.