



## Sole Source Request Form Instruction Sheet

### COUNTY POLICY ON SOLE SOURCE CONTRACTS:

*It is the policy of the County of Orange to solicit competitive bids and proposals for its procurement requirements. Per the Contract Policy Manual, a sole source procurement shall not be used unless there is clear and convincing evidence that only one source exists to fulfill the County's requirements, CPM section 4.5. All sole source purchases requiring Board of Supervisors approval shall be justified as meeting the sole source standard in the Agenda Staff Report. The Agenda Staff Report shall clearly state that it is a sole source procurement. The Sole Source Justification, as described below, shall be attached within the Agenda Staff Report (CPM, Section 4.5)*

### SECTION I – INSTRUCTIONS FOR COMPLETING THE ATTACHED FORM

**(To be completed by the department's end-user, Program Manager, or Subject Matter Expert)**

1. Formal justification is required for sole source procurements when competitive bid guidelines require pricing from competing firms.
2. A written justification will be prepared by the department and approved by the department head or designee.
3. Prior to execution of a contract, the County Procurement Officer or designee shall approve ALL sole source requests for commodities that exceed \$250,000 annually, services exceeding \$75,000 annually and all Board contracts despite the amount. Board approval is required for all sole source contracts for commodities that exceed \$250,000 annually and services exceeding \$75,000 annually or a two (2) year consecutive term, regardless of the contract amount. Any amendments to Board approved sole source contracts require a new sole source form.
4. If vendor is a retired, former Orange County employee, CEO Human Resource Services shall approve the sole source request, regardless of the sole source amount.
5. Valid sole source requests will contain strong technological and/or programmatic justifications. Requests will explain how it is a sole source purchase, provide a clear and convincing justification and detail the purchasing history (who, what, when, how and where).
6. Sole source procurements may be approved based upon emergency situations in which there is not adequate time for competitive bidding.
7. Sole source requests for Human Service contracts will be guided by the regulations of the funding source.
8. Each question in Section II of this form must be answered in detail and the form signed by the department head with concurrence of the Deputy Purchasing Agent.
9. All sole source request forms must be entered into the County's online bidding system along with its supporting documentation.
10. The Deputy Purchasing Agent (DPA) shall retain a copy of the justification/approval as part of the contract file.
11. Request for Solicitation Exemption *(For purchases with special circumstances, and/or when it is determined to be in the best interest of the County)* – check the Solicitation Exemption box and complete additional question no 8.



## Sole Source Request Form

Sole Source Bidsync # 042-1501162-JCG-SS

### SECTION II – DEPARTMENT INFORMATION (Complete in its entirety)

Department: HCA/Behavioral Health Services		Date: November 9, 2021	
Vendor Name: Western Pacific Re-Hab (West Pac)		Sole Source BidSync Number: 042-1501162-JCG-SS	
<b>Is the above named vendor a retired employee of the County of Orange?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <b>If "Yes", review and Approval is required from CEO Human Resource Services prior to contract execution.</b>			
Contract Term (Dates): July 1, 2021 – June 30, 2022		Is Agreement Grant Funded? Percent Funded: 100% Funding Source: SAPTBG and AB 109 <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Contract Amount? \$898,594		Proprietary? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Contract Amount? \$898,594		Is this renewable? If yes, how many years? No	
Type of Request: <input type="checkbox"/> New <input type="checkbox"/> Multi-Year <input type="checkbox"/> Renewal <input checked="" type="checkbox"/> Amendment <input type="checkbox"/> Increase			
Renewal Year: FY 21-22		Did vendor provide a sole source affidavit? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, please attach	
Board Date: TBD	ASR Number: TBD	If not scheduled to go to the Board explain why?	
Does Contract include Non-Standard Language? If yes, explain in detail. <b>No</b>			
Was Contract Approved by Risk Mgmt.? N/A		Was Contract Approved by County Counsel? In Process	
Were any exceptions taken? If yes, explain in detail. <b>No exceptions were taken by the vendor.</b>			
<input checked="" type="checkbox"/> DPA certifies that they have read and verified that the information is true and satisfies the sole source requirements listed in the County Contract Policy Manual.			
<input type="checkbox"/> Solicitation Exemption <i>(For purchases with special circumstances, and/or when it is determined to be in the best interest of the County.)</i>			



# OC Procurement

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**SECTION III – SOLE SOURCE JUSTIFICATION**

- 1. Provide a description of the type of contract to be established.** *(For example: is the contract a commodity, service, human service, public works, or other – please explain.) Attach additional sheet if necessary.*

The type of contract to be established is a human services contract for non-profit substance use disorder services. The vendor is Western Pacific Re-Hab (West-Pac), and they provide narcotic replacement treatment for opiate addiction and Drug Medi-Cal (DMC) Outpatient Drug Free services.

- 2. Provide a detailed description of services/commodities and how they will be used within the department. If this is an existing sole source, please provide some history of its origination, Board approvals, etc.** *(This information may be obtained from the scope of work prepared by the County and the vendor's proposal that provides a detailed description of the services/supplies.) Attach additional sheet if necessary.*

Vendor will provide services to adult males and females with opiate addiction needing Narcotic Replacement Maintenance Therapy (NRT) and/or narcotic replacement detoxification. These include services for participants who are diagnosed with co-occurring disorders. Anyone at or under 200% of the federal poverty level are eligible for services for Substance Abuse Prevention and Treatment (SAPT) Block Grant funds funding. AB109 served as referred by the AB109 Assessment Team and those eligible for DMC services. Additionally, incarcerated pregnant women are given maintenance therapy; pregnant women including those who are incarcerated, cannot receive detox services. NRT includes daily methadone dosing; assessment and evaluation; individual sessions; case management; relapse prevention; crisis intervention; and linkage and referral services. Methadone services are provided 365 days a year for seven (7) days a week at the daily rate of \$17.38, per participant served at the provider site or \$26.07 per participant at other sites, including the jail. Suboxone services are provided 365 days a year for seven (7) days a week at the daily rate of \$22.50, per participant served at the provider site. Detoxification services include daily methadone dosing used in decreasing medically determined dosage levels for a period of no more than 21 days to reduce or eliminate opiate addiction. Detoxification services also include assessment and evaluation; individual sessions; case management; relapse prevention; crisis intervention; and linkage and referral services. These services are provided seven (7) days a week, 365 days a year for a daily rate of \$12.00 per dose, per participant.

Vendor will also provide Detoxification treatment for Clients who are under 18 years of age, who provide written consent of their parent(s) or guardian prior to the administration of the first medication dose. Clients 12 through 15 years old who present for treatment will be considered on a case by case basis. Vendor shall adhere to DHCS Youth Treatment Guidelines when treating adolescents 12 through 17 years old.

History of Contract Origination:

ASR Control No. 16-001623 – Agreements for Inpatient Detoxification and Narcotic Replacement Services dated 5/7/2013 #32 and #8

- 3. Explain why the recommended vendor is the only one capable of providing the required services and/or commodities. How did you determine this to be a sole source and what specific steps did you take? Please list all sources that have been contacted and explain in detail why they cannot fulfill the County's requirements. Include vendor affidavit and/or other documentation which supports your sole source.** *(Responses will include strong programmatic and technological information that supports the claim that there is only one vendor that can provide the services and/or commodities. Your response will include information pertaining to any research that was conducted to establish that the vendor is a sole source, include information pertaining to discussions with other potential suppliers and why they were no longer being considered by the County.)*

**Attach additional sheet if necessary.**

NRT services, provided under contract to the County, are funded through SAPT. SAPT requires sub-grantees of the County to be non-profit vendors, licensed by the Department of Health Care Services. On February 2009, HCA released a Solicitation of Interest & Qualification (SIQ) to non-profit methadone providers to provide NRT to opiate addicts. The only responsive proposal received was from West Pac during that competitive bid process. As a result, West Pac was awarded the contract to provide NRT services. On October 2021, HCA/ Behavioral Health Services conducted a review of current licensed NRT programs in Orange County to determine availability and non-profit status. Of the two (2) providers currently operating in Orange County, only West Pac meets the non-profit funding requirement. The other provider is a private for-profit provider and, under the SAPT funding requirements, the County cannot enter into an agreement with the for profit provider for the requested services. In addition, the recommended vendor is the only vendor capable of providing the services requested because of an existing Federal Regulations.

Per the Grant requirement, the non-profit vendor must be State certified and must be on a State list for NRT services. The County must utilize this certified NRT list; West Pac is the only non-profit vendor certified under this list and is geographically accessible to the target population.



# Procurement

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**4. How does recommended vendor's prices or fees compare to the general market?****Attach quotes for comparable services or supplies.** Attach additional sheet if necessary.

As noted above, HCA is restricted by its funding source to enter into contract with non-profit entity only. So far, there are only two (2) vendors in Orange County, one (1) for profit (FP) and one (1) non-profit (NP).

Below is a price comparison between For-Profit vs. Non-Profit. Although the FP costs listed below for Methadone and Suboxone appear to be lower, they do not include dosing, transportation cost to the jail and other providers, counseling, case management and referral services, which also need to be provided. These rates were negotiated between County and Provider.

	MAINTENANCE PER DAY	
	FOR PROFIT	NON-PROFIT
Methadone	\$11.00	\$17.38
Suboxone	\$20.18	\$22.50
21 Day Methadone Detox	\$18.00	\$12.00

**5. If the recommended vendor was not available, how would the County accomplish this particular task?**

Attach additional sheet if necessary.

If the recommended and only non-profit vendor were not able to provide these services, HCA would not be able to meet the needs of opioid addicts, which may result in death and/or increased criminal activities in the County. Denial or delayed access to these vital services for opiate addicts may result in death or increased criminal activities. If the recommended, and only non-profit, vendor is not able to provide these services, HCA will not be able to meet the needs of these clients which may result in more serious consequences not only to themselves, but to other residents of Orange County. Obtaining these vital services from the recommended vendor is in the best interest of the County.

**6. Please provide vendor history – name change, litigation, judgments, aka, etc. for the last 7 years.**

There are no name changes, litigation, or judgments for the last seven (7) years.

**7. If vendor is a retired, former employee, has the vendor previously been rehired as a contractor within the last three years?** ☐ Yes ☒ No

**If yes, provide explanation/support for hiring the retired, former employee as a vendor and provide contract dates, scope of work, and total amounts paid under each contract.**

Vendor is not a retired or a former employee of the County of Orange.

**8. Explain (in detail) why a request for Solicitation Exemption is needed.** *(Only applicable for Solicitation Exemption)*

Attach additional sheet if necessary.

N/A



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### SECTION IV – AUTHOR/REQUESTOR

Signature: DocuSigned by: <i>Glenda Aguilar</i> D8CF60472E50445...	Print Name:  Glenda Aguilar	Date:  11/9/2021
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### SECTION V – CEO Human Resource Services APPROVAL (Review and approval is required when vendor is a Retired, Former Employee.)

Signature:	Print Name:  N/A	Date:
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### SECTION VI – DEPUTY PURCHASING AGENT CONCURRENCE

Signature: DocuSigned by: <i>Joe Cook-Giles</i> 41634ABBAAC8457...	Print Name:  Joseph Cook-Giles	Date:  11/9/2021
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### SECTION VII – DEPARTMENT HEAD APPROVAL

Signature: DocuSigned by: <i>Anna Peters</i> F5ECD6B5CB4742B...	Print Name:  Anna Peters	Date:  11/9/2021
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### SECTION VIII – COUNTY PROCUREMENT OFFICE

Prior to execution of a contract, the County Procurement Officer or designee shall approve All Sole Source requests for Commodities that exceed \$250,000, Capitol Assets and services exceeding \$75,000, and All other Sole Source requests that require Board approval despite the amount. Approvals are obtained electronically through the County's online bidding system.

### SOLICITATION EXEMPTION – CEO USE ONLY:

Board of Supervisor Notification Date:			
Comments:			
CPO:	<input type="checkbox"/> Approved	<input type="checkbox"/> Denied	CFO: <input type="checkbox"/> Approved <input type="checkbox"/> Denied
CPO Authorized Signature:	Date:	CFO Authorized Signature:	Date:

Release Bid Workflow

Name: Joe Cook-Giles

Phone: 7148347602

Email: JCook-Giles@ochca.com

Status: Submitter Nov 9, 2021 10:43:02 AM PST

Joe Cook-Giles  
Submitter

Jeff M Miller  
(for CPO SS Routing (Group))  
Approved

Bid Information

Bid Number:  
[042-1501162-JCG-SS](#)

Bid Title:  
Narcotic Replacement Treatment For Opiate  
Addiction

Status:  
Approved

[View Workflow History](#)

Close

Questions? Contact a Periscope Source representative: 800-990-9339 or email: [source-support@periscopeholdings.com](mailto:source-support@periscopeholdings.com)