

**CHIEF ADMINISTRATIVE OFFICE**  
**Procurement and Contracts Division**

Date Received
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**NON-COMPETITIVE PURCHASE REQUEST JUSTIFICATION**

Required for all (non-emergency) sole source acquisitions in excess of \$5,000.00 and sole source service requests in excess of \$100,000.00.

This justification document consists of three (3) pages. All information must be provided and all questions must be answered. **Department Head approval is required.**

**Requesting Department Information**


Department: Select Department	Org Code: 5430330	
Contact Name: Yvette Wencke	Subobject: 	User Code: 
Telephone: ext. 6919	Fax: 	


**Required Supplier / Vendor Information**

Vendor / Supplier Name: California Forensic Medical Group, Inc. (CFMG)	Vendor / Supplier Address: 3911 Sorrento Valley Blvd, Suite 130
Contact Name: Darien Smith	San Diego, CA 92121
Estimated Purchase Price/Contract Amount: \$21,694,978.14	Vendor / Supplier Email Address: DJSmith@Wellpath.us
Telephone: 1-800-592-2974	Fax: 

Provide a brief description of the request, including all goods and/or services the vendor/supplier will provide and supporting exemption reference from Board Policy C-17 - Procurement Policy:

The Contractor provides health services in the County detention facilities by licensed healthcare professionals trained in correctional medicine. The current CFMG Agreement 2989 was approved by the Board of Supervisors on December 18, 2018 (File ID: 18-1793) for the term of January 1, 2019, through December 31, 2023, as it was determined by the Board that it was more economical and feasible to engage an independent contractor for these services. In accordance with Procurement Policy C-17 section 3.4(3), beginning competitive bidding at this time is anticipated to result in no economic benefit to the County and may result in the lack of continuity in appropriate mandated correctional medical care.

Department Head:   
Evelyn Schacher (Nov 28, 2022 11:54 PST)  
Signature

Purchasing Agent:   
Michele Weimer (Nov 28, 2022 12:12 PST)  
Signature

Board of Supervisors:

Date:

Item:

P&C Assignment:

Assigned To:

Date:

**A. The good/service requested is restricted to one supplier for the reason stated below:**

1. Why is the acquisition restricted to this goods/services supplier? (Explain why the acquisition cannot be competitively sourced. Explain how the supplier is the only source for the acquisition.)

The current CFMG Agreement for Services 2989 was approved by the Board of Supervisors on December 18, 2018 (File ID: 18-1793) for the term of January 1, 2019, through December 31, 2023, along with Amendment I effective June 30, 2019 (File ID: 19-1576) reducing the annual contracted amount due to the closure of the Placerville Juvenile Hall. This Amendment II is the result of a negotiated \$145,569.37 increase with CFMG and the Probation Department, Sheriff's Office, and HHSA, to the compensation amount above the 3.6 percent escalator effective January 01, 2023. This amount is projected to mitigate the extraordinary effects of the healthcare staffing crisis due to the Covid-19 pandemic.

2. Provide the background of events leading to this acquisition.

Pursuant to California Penal Code Section 4011 and California Code of Regulations Title 15, the County is responsible for the provision of health care for detained adults and children. Since 1996, the County of El Dorado has met this requirement through contracts with the California Forensic Medical Group (CFMG), administered by the Health and Human Services Agency (HHSA) Public Health and Behavioral Health Divisions, in conjunction with the Sheriff's Office and Probation Department.

3. Describe the uniqueness of the acquisition. (Why was the goods/services supplier chosen?)

This Contractor is able to continue to provide health services in the County detention facilities by licensed healthcare professionals trained in correctional medicine.

4. What are the consequences of not purchasing the goods/services or contracting with the proposed supplier?

The County of El Dorado would be unable to meet standards pursuant to the California Penal Code Section 1011, the California Code of Regulations Title 15, and a Federal Court Decree (York vs El Dorado County 12/15/1993) that states the County is to provide correctional medical care 24 hours per day 7 days a week.

5. What market research was conducted to substantiate no competition, including the evaluation of other items or service providers? (Provide a narrative of your efforts to identify other similar or appropriate goods/services, including a summary of how the department concluded that such alternatives are either inappropriate or unavailable. The name and addresses of suppliers contacted and the reasons for not considering them must be included OR an explanation of why the survey or effort to identify other goods/services was not performed.)

There was no competitive bidding process required or completed for the vendor with the development of the initial contract, as it was determined that the contractor had specialty skills and qualifications not expressly identified in County classifications of licensed healthcare professionals trained in correctional medicine. This amendment increases the not-to-exceed on the initial agreement to allow for continuity of County services. Competitive solicitation will be engaged prior to the expiration date of the current agreement to maintain continuity of operations.

**B. Price Analysis:**

1. How was the price offered determined to be fair and reasonable? (Explain what basis was used for comparison and include cost analysis as applicable.)

There was no competitive bidding or cost comparison process required or completed for the initial agreement with the service provider. This amendment is result of a negotiated increase of \$115,623.00 to the compensation amount above the 3.6 percent escalator effective January 01, 2023. This amount is projected to mitigate the extraordinary effects of the healthcare staffing crisis due to the Covid-19 pandemic. Half is to be applied January 1, 2023, and the remainder is to be applied July 1, 2023, after the 3.6% annual Base Rate increase.

2. Describe any cost savings or avoidance realized (one-time or ongoing) by acquiring the goods/services from this supplier.

The potential cost savings resulting from this amendment to the agreement, are that the County will remain in compliance with California Penal Code Section 4011 and California Code of Regulations Title 15 and a Federal Court (York vs El Dorado County 12/15/1993) for the services provided through this agreement. This is expected to minimize the potential financial impact from the lack of appropriate mandated correctional medical care to individuals incarcerated in County jail or juvenile detention facilities that may occur from beginning the competitive solicitation process before the termination date of the current agreement. Competitive solicitation will be engaged prior to the expiration date of Agreement 2989 to maintain continuity of operations.