

## Solano County General Services, Purchasing Division Sole Source Justification Form

It is the policy of the County to competitively solicit the maximum number of bids for a commodity or service in order to uphold the best interests of the County and secure the best deal in the procurement process. There are certain acquisitions, however, that can only be obtained from a sole source due to the uniqueness of the commodity or service, prior knowledge of the County's business practices, or lack of other providers, etc. Sole source acquisitions must be justified in sufficient detail to explain the basis for suspending the usual competitive procurement process. Purchasing Services will attach the sole source justification to the procurement documents used to purchase a commodity. Before commencing contract negotiations with a sole source provider of human services (doctor, dentist, psychiatrist, IT consultant, etc.), the department must submit justification to and obtain approval from the CAO or Board of Supervisors as appropriate.

For more information regarding sole source justification (exceptions, requirements, non-competitive negotiation, price/cost analysis, contract renewal, etc.) refer to Solano County's Purchasing & Contracting Policy Manual, Chapter 2.11, 4.2, and 9.4.4.3.

Notice: If the sole source justification request is denied for any reason the procurement will undergo the normal competitive bidding process as defined in the Purchasing Policies and Procedures Manual, Chapter 2.9 and the Solano County Code 22-15 and 22-23.

### **Directions:**

Complete the form below. Attach any other required or additional documentation to support your justification and be sure to have the department head or the appropriately designated person sign and date. (Refer to Chapter 2.2.5 of the Purchasing & Contracting Policies and Procedures Manual or Section 22.11, 22.13-14 of the Purchasing Ordinance for the designation of authorized persons to sign such documents.) Submit to the Purchasing Department for approval.

### **Required Information:**

Department: Probation Department		Date Submitted: 5/1/19	
Department Contact: Karina Palacios		Phone: 707-784-2926	
Vendor Name: Justice Benefits, Inc.		Vendor ID:	
Contract Type:	<input type="checkbox"/> Commodity	<input checked="" type="checkbox"/> Professional Service	<input type="checkbox"/> Non-Professional Service
Amount of Contract: 15% of total net Title IV-E revenue			

  
\_\_\_\_\_  
Preparer's Signature

**Staff Analyst**  
Title of Preparer

## Justification for Sole Source Procurement:

1. Does the proposed contractor have unique, critical capabilities for the job required? [ x ] Y [ ] N  
Explain these unique or critical capabilities and why no other contractor can fill them.

*In September 2013, the Regional Office (RO) conducted an administrative review related to the Title IVE claims made on behalf of candidates for foster care youth who are under the supervision of California's Probation Departments. As a result of this review, the RO identified significant systematic concerns regarding Title IVE administrative claim that State makes for candidates for foster care on cases that are under the jurisdiction of the Probation Department. The RO has informed the California Department of Social Services that Title IVE claiming associated with these types of cases that are supervised by Probation must cease beginning October 1, 2013.*

*The Chief Probation Officers of California (CPOC) worked with the California Department of Social Services (CDSS) to prepare a corrective action plan, requiring all probation staff working on Title IV-E to be trained on revised Title IV-E guidelines by May 31, 2014. CPOC has collaborated with Justice Benefits, Inc. (JBI) to define consistent and complete Title IV-E administrative claiming option for probation departments in California. **JBI is the only entity that has been certified by CDSS to provide Title IV-E training to California counties.** As a result, JBI is the only known vendor to provide these specialized services that will assist the Probation department to properly submit claims within the Title IV-E protocols.*

2. Is the proposed contractor highly specialized to perform this particular job? [ x ] Y [ ] N [ ] n/a  
Explain prior experience that supports this claim.

*CPOC has collaborated with Justice Benefits, Inc. (JBI) to define consistent and complete Title IV-E administrative claiming option for probation departments in California. **JBI is the only entity that has been certified by CDSS to provide Title IV-E training to California counties.** As a result, JBI is the only known vendor to provide these specialized services that will assist the Probation department to properly submit claims within the Title IV-E protocols. JBI has successfully implemented a web-based time keeping system using its proprietary software program called Random Moment Sampling (RMS) with the intent of maximizing revenues while minimizing the risk of federal audit disallowances.*

3. Does this contractor have specialized facilities, staffing, and/or equipment? [ x ] Y [ ] N [ ] n/a  
Explain what these are and why they are vital to the required commodity or service.

*JBI has over 22 years of expertise in federal revenue maximization for state and local agencies, with specialty in Title IV-E administrative claiming for juvenile justice departments. No other consulting firms nationwide, besides JBI, currently assist local juvenile justice departments with Title IV-E administrative claiming. For the past three years JBI has been the only vendor invited to conduct joint Chief Probation Officer of California (CPOC) Title IV-E trainings.*

4. Does the proposed contractor have a substantial investment that would have to be duplicated at the County's expense by another contractor entering the field? [ x ] Y [ ] N [ ] n/a  
Explain what this investment is and how it will affect the County.

***JBI is the only entity that has been certified by CDSS to provide Title IV-E training to California counties.** As a result, JBI is the only known vendor with specialized software to capture random time study moments to provide these services that will assist the Probation department to properly submit claims within the Title IV-E protocols; thus the County will potentially incur in software acquisition, staff training, and other starting costs if the department decided not to utilize JBI services.*

5. Is the need for a commodity or service time-sensitive? [ x ] Y [ ] N [ ] n/a  
Explain how the proposed contractor/vendor can meet these scheduling needs.

*JBI provides Title IV-E training to Probation staff assigned to participate in the RMS timekeeping process, which JBI will monitor daily for coding accuracy and statistical validity. JBI will compile the time study results quarterly to compute Title IV-E administrative claims and ensure timely claim filing and appropriate reimbursements.*

6. Is competition precluded because of:

- the lack of drawings or specifications?  Y  N  x  n/a
- existing patent rights or copyrights?  Y  N  n/a
- existing equipment maintenance program or contracts?  Y  N  x  n/a

Provide details for positive responses:

*JBI is the only vendor with a web-based time keeping system using its proprietary software program called Random Moment Sampling (RMS) and the use of this program is expected to maximize revenues while minimizing the risk of federal audit disallowances.*

7. Can competition be achieved if sufficient lead-time is given to obtain drawings and specifications?

Y  N  x  n/a

If not, explain why drawings and specifications are lacking and how the proposed contractor can fulfill the need without them. If so, explain how much time is required to obtain drawings and specifications.

8. Does this acquisition require compatibility with any existing county equipment?  Y  N  n/a  
Explain why only one contractor can provide sufficient compatibility.

9. What unique characteristics does the equipment or material offered by the proposed contractor/vendor possess that are required to meet the County's needs?  Y  N  n/a

*JBI is the only entity that has been certified by CDSS to provide Title IV-E training to California counties. As a result, JBI is the only known vendor to provide these specialized services that will assist the Probation department to properly submit claims within the Title IV-E protocols. JBI is the only provider with a nationally recognized web-based time keeping system which utilizes a proprietary software program called Random Moment Sampling (RMS); the use of this program is expected to maximize revenues while minimizing the risk of federal audit disallowances.*

10. Were similar goods or services evaluated and determined to be inadequate?  Y  N  n/a

What steps were taken to verify that this item is unique, absolutely necessary, and is the most financially responsible option for the County?

*JBI is the only entity that has been certified by CDSS to provide Title IV-E training to California counties. As a result, JBI is the only known vendor to provide these specialized services that will assist the Probation department to properly submit claims within the Title IV-E protocols.*

11. Were samples of goods from more than one vendor tested by the requesting department?

Y  X  N  n/a

List each vendor whose products were tested and explain what was deficient or why the product does not meet the needs of the department.

12. Was competitive bidding first sought but proved to be inadequate for any reason and would not hold the County's best interests in mind?  Y  X  N  n/a

Explain why the competitive bidding process was inadequate and why the County's best interests could not be maintained:

*There are no other consulting firms nationwide, besides JBI that can be contacted to perform the services required by the Probation department. JBI is the only company that currently assists local juvenile justice departments with Title IV-E administrative claiming. JBI currently provides administrative Title IV-E services in 35 California counties. JBI's RMS software is proprietary, and its methodology is federally-approved and CDSS-recognized.*

Additional justification or further explanation of answers above:

*There is no competitive marketplace for the Title IV-E claiming services provided by JBI. JBI currently works with 80 departments nationwide which 35 belong to California Counties including:*

- 1) Alameda County
- 2) Butte County
- 3) Los Angeles County
- 4) Madera County
- 5) San Joaquin County
- 6) San Mateo County
- 7) Santa Cruz County

Preparer's Initials: KP

**Review and Approval:**

Approved:  Yes  No

Explanation of Approval or Denial: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

CHRISTOPHER HANSEN

Department Head Name (print)



Department Head Signature

4/29/19

Date

Diane E. Luna

Signature of Reviewer (Purchasing Services Only)

5-24-19

Date

Central Services Manager

Title of Reviewer (Purchasing Services Only)