



Policy Title: Behavioral Health Service Procurement		
Department: Contracts		
Date Issued: 11/05/2015	Revised Date: 05/12/2024 Review Date: 05/12/2024	
CEO Approval: 	Effective Date: _____9/22/2024_____	

POLICY:

It is the policy of the Central Florida Cares Health System, Inc. (CFCHS) to abide by section 287.057, Florida Statutes (F.S.) in the procurement of behavioral health services.

RELATED POLICIES:

- Contract Review Policy
- CFCHS Board Funding Allocation and Reductions Policy

PURPOSE:

Mental health and substance use services are exempt from competitive procurement by Florida Statute. However, when the need for competitive procurement is justified and documented by CFCHS, all applicants seeking funding from CFCHS shall be afforded equal opportunities to compete and will be treated on equal terms.

PROCEDURES:

1. CFCHS may use any of three (3) competitive procedures established to ensure fair and open competition:
 - a. Invitation To Bid (ITB)
 - b. Request For Proposal (RFP)
 - c. Invitation To Negotiate (ITN)

2. Selecting the Appropriate Competitive Procurement Type
 - a. Invitation to Bid (ITB). The invitation to bid is used when CFCHS can specifically define the scope of work for which a contractual service is required or when the agency can establish precise specifications defining the actual commodity or group of commodities required. The requirements of the procurement are defined in sufficient detail to allow the selection of the vendor to be based solely on price.
 - b. Request for Proposal (RFP). CFCHS uses a request for proposals when the purposes and uses for which the commodity, group of commodities, or contractual service being sought can be specifically defined and the agency can identify necessary deliverables. Various combinations or versions of commodities or contractual services may be proposed by a responsive vendor to meet the specifications of the solicitation document. Any contract award is made by written notice to the responsible and responsive vendor whose proposal is determined in writing to be the most advantageous to the state, taking into consideration the price and other criteria set forth in the request for proposals. Documentation supporting the basis on which the award is made is maintained in the contract file.

- c. Invitation to Negotiate (ITN). The invitation to negotiate is a solicitation used by CFCHS which is intended to determine the best method for achieving a specific goal or solving a particular problem and identifies one or more responsive vendors with which the agency may negotiate in order to receive the best value.
3. Documentation Required - The Contract Manager is responsible for maintaining an electronic file describing the actions taken and decisions made during the procurement process including the following electronic documentation:
 - a. Justification for selecting the procurement type used.
 - b. Documentation of all individuals involved in the process (writing solicitation, evaluating and awarding).
 - c. Conflict of Interest questionnaires for all individuals involved in the process.
 - d. Documentation of all posting activities.
 - e. Copy of the solicitation document.
 - f. Record of Solicitation Conference.
 - g. All correspondence related to the procurement (including official questions and answers).
 - h. Record of the evaluation/scoring.
 - i. Copies of bids/proposals/replies/offers.
 - j. Copies of protests received and documentation of results.
 - k. Copy of the Notice of Intended Award.
 4. In any procurement, CFCHS reserves the right to reject all responses, cancel the procurement, and, in its discretion, determine whether to issue a new or revised procurement.
 5. In any procurement, CFCHS reserves the right to issue an addendum removing, adding, amending, or revising the provisions of the procurement document.
 6. In any procurement, CFCHS may modify the procedures in this policy for a particular procurement situation upon written approval from the CFCHS CEO that documents the reasons and basis for the decision.
 7. Approvals
 - a. All contracts are reviewed by CFCHS' CEO, CFO, and COO in accordance with the Contract Review policy. The Florida Department of Children and Families (Department) receives copies.
 - b. As stated in the Funding Allocation and Reductions policy, approvals to allocate new funds will be made by CFCHS when:
 - i. The new funds are non-recurring; or
 - ii. The amount of the recurring new funds is equal to or less than \$750,000.
 - c. Approvals to allocate recurring new funds greater than \$750,000 are made by the Board of Directors.
 - d. To ensure visibility of the entire contracted network, all intended new contracts, contract renewals, and contract extensions are presented annually to the Board of Directors or designated Board Committee prior to the start of the fiscal year for approval.