

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
OF SAN BERNARDINO COUNTY
AND RECORD OF ACTION**

March 29, 2022

FROM

SHANNON D. DICUS, Sheriff/Coroner/Public Administrator

SUBJECT

Amendment to Contract with Liberty Healthcare Corporation for Comprehensive Mental Health Services

RECOMMENDATION(S)

1. Approve **Amendment No. 9 to Contract No. 16-08** with Liberty Healthcare Corporation for the provision of comprehensive mental health and programming services in the County's detention facilities, increasing the contract amount by \$5,712,669, for a new total amount not to exceed \$85,159,824, and extending the term by three additional months, for a new total contract period of January 12, 2016 through July 11, 2022.
2. Authorize the Sheriff/Coroner/Public Administrator or Undersheriff to execute change orders to the contract, as needed, subject to review by County Counsel, as long as the total aggregate amount of such change orders does not exceed the maximum contract amount of \$85,159,824 and the change orders do not amend the contract term.
3. Direct the Sheriff/Coroner/Public Administrator or Undersheriff to transmit all change orders to Contract No. 16-08 to the Clerk of the Board of Supervisors within 30 days of execution.
(Presenter: John Ades, Deputy Chief, 387-3760)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

Operate in a Fiscally-Responsible and Business-Like Manner.

Provide for the Safety, Health and Social Service Needs of County Residents.

FINANCIAL IMPACT

Approval of this item will not result in the use of additional Discretionary General Funding (Net County Cost). The additional three-month cost of comprehensive mental health services in the amount of \$5,712,669 will be funded within the Sheriff/Coroner/Public Administrator's (Department) existing 2021-22 budget and will be included in the 2022-23 recommended budget (4420001000).

BACKGROUND INFORMATION

Title 15, California Code of Regulations, Article 11 identifies the responsibility of the Department to provide medical, mental health and dental care for correctional patients. Correctional mental health services are defined as actions taken for the mental well-being of the inmate population, including a range of diagnostic, treatment, and follow-up services with the goals of improving clinical outcomes and stabilizing patients to their highest level of wellness so they may successfully integrate into the community upon release.

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On January 12, 2016 (Item No. 43), resulting from a competitive process, the Board of Supervisors (Board) approved Contract No. 16-08 with Liberty Healthcare Corporation (Liberty) in an amount not to exceed \$3,047,314 for the period of January 12, 2016 through January 11, 2017, with the option to extend the term for two additional one-year periods for the provision of comprehensive mental health and programming services in the County's detention facilities. Subsequently, the Board approved eight amendments to Contract No. 16-08 with Liberty as follows:

Amendment No. 1 (August 23, 2016, Item No. 78) increased the level of mental health services by an additional 11.75 full-time equivalent (FTEs) positions, from 13 to 24.75; increased the contract amount by \$14,161,308; and extended the contract from a one-year term to a three-year term for a new contract period of January 12, 2016 through January 11, 2019, with two one-year options to extend the term.

Amendment No. 2 (March 28, 2017, Item No. 55) increased the number of staff provided by 15 FTEs, from 24.75 to 39.75, and increased the contract amount by \$4,682,952, with no change to the contract period.

Amendment No. 3 (December 18, 2018, Item No. 74) increased the total contract by \$9,415,761 and extended the term by one year through January 11, 2020.

Amendment No. 4 (August 20, 2019, Item No. 60) increased the number of Mental Health Registered Nurse (RN) positions from 10 to 13, increasing the total staffing levels from 39.75 to 42.75; increased the total contract amount by \$10,355,759; and extended the term through January 11, 2021.

Amendment No. 5 (January 7, 2020, Item No. 33) increased the number of staff by 20 FTEs, from 42.75 to 62.75, and increased the total contract amount by \$4,506,178, with no change to the contract period.

Amendment No. 6 (June 23, 2020, Item No. 94) increased the number of staff by 40.6 FTEs, from 62.75 to 103.35, increased the total contract amount by \$27,464,933, and extended the term through January 11, 2022.

Amendment No. 7 (June 8, 2021, Item No. 82) increased the number of staff by 2 FTEs, from 103.35 to 105.35, increased the total contract amount by \$100,281, with no change to the contract period.

Amendment No. 8 (January 11, 2022, Item No. 39) increased the total contract amount by \$5,712,669 and extended the term through April 11, 2022, to continue negotiations for a new contract.

The Department has contracted with Liberty for the provision of comprehensive mental health and programming services in the County's detention facilities since 2016 and has increased staffing over time to adequately address the mental health needs of inmates incarcerated in the County's detention facilities.

Ongoing negotiations have extended past the anticipated completion timeframe. Approval of Recommendation No. 1 will extend the current contract period by an additional three months, from April 12, 2022, through July 11, 2022, to avoid a lapse in service, maintain continuity of

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care for inmates, and allow for further contract negotiations to ensure the best overall contract terms and conditions for the County. Approval of Recommendation No. 2 will allow the Sheriff/Coroner/Public Administrator or Undersheriff to address changes to the number of FTEs, if necessary, to address changes in workload. Any such change orders cannot exceed the maximum contract amount of \$85,159,824 nor amend the contract term.

PROCUREMENT

On May 25, 2021, Request for Proposal (RFP) No. SHR121-ADMSR-3949 was approved and released through San Bernardino County's electronic Procurement Network (ePro) for the provision of comprehensive correctional mental health services; responses were due July 14, 2021. The Department continues to finalize contract negotiations, which are anticipated to be completed within the next three months. A new contract will be submitted to the Board for approval at that time.

The Department recommends extending the contract by three additional months through July 11, 2022, to provide continuity of service and address timing constraints associated with contract negotiations. The contract may be terminated by either party upon 120 days written notice.

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Richard D. Luczak, Deputy County Counsel, 387-5455) on March 2, 2022; Purchasing (Michael Candelaria, Lead Buyer, 387-0321) on March 2, 2022; Finance (Yael Verduzco, Administrative Analyst, 387-5285) on March 15, 2022; and County Finance and Administration (Robert Saldana, Deputy Executive Officer, 387-5423) on March 15, 2022.

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Record of Action of the Board of Supervisors
San Bernardino County

APPROVED (CONSENT CALENDAR)

Moved: Joe Baca, Jr. Seconded: Dawn Rowe
Ayes: Col. Paul Cook (Ret.), Janice Rutherford, Dawn Rowe, Curt Hagman, Joe Baca, Jr.

Lynna Monell, CLERK OF THE BOARD

BY 
DATED: March 29, 2022



cc: Sheriff - Welty w/agree
Contractor - C/O Sheriff w/agree
File - w/agree
CCM 04/6/2022