



**PIMA COUNTY, ARIZONA
BOARD OF SUPERVISORS POLICY**

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Reference

Arizona Revised Statutes (A.R.S.) Sections 8-245, 11-251(60), 11-291, 11-297, 13-1414, 31-165, 36-545.06 and 36-717.

I. Purpose

This procedure defines the procurement requirements for acquiring medical and health-related professional services necessary for the administration of Pima County's health care function. Professional services are services involving specialized knowledge, skill and expertise provided by persons with advanced training and experience in a field that requires an extended course of specialized instruction or study. Medical and health-related professional services involve the application of medical, dental, psychiatric, and/or other health field knowledge and experience and/or professional license, certification or registration to accomplish complex treatment and/or service objectives.

II. Policy

This policy is divided into three sections:

- General Provisions
- Procurement of Professional Services with an estimated annual cost of \$250,000 or less
- Procurement of Professional Services with an estimated annual cost greater than \$250,000

III. General Provisions

A. All procurement for medical and health-related professional services will be controlled by the Heads of the departments listed below.

1. Pima County Health Department
2. Behavioral Health Department
3. Pima Animal Care Center

B. The annual cumulative total cost of individual projects under any one procurement will determine the appropriate procedures to be utilized under this policy. In the event that responses for the

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services solicited are inadequate, insufficient, or not in the best interest of Pima County, the Board of Supervisors may reject the responses received and direct the appropriate department to revise and/or reissue the solicitation.

- C. When provided for in the solicitation, discussions may be conducted with responsible respondents who submit responses determined to be reasonably plausible of being selected for award. Such discussions will be for the purpose of securing the terms and conditions most advantageous to Pima County. Any changes to a response subsequent to such discussions must be submitted in writing by the respondents within five (5) business days.
 - 1. Respondents must be accorded fair and equal treatment with respect to any opportunity for discussion and revision of responses.
 - 2. The Department will keep a record of all discussions in the procurement record.
 - 3. In conducting discussions, there must be no disclosure of any information derived from responses submitted by competing respondents.
- D. Contracts in an amount up to \$250,000 per year may be executed by the Procurement Director. Contracts in an amount more than \$250,000 per year and all contracts for an initial term of more than five years must be approved and executed by the Board of Supervisors.
- E. Once a contract has been awarded and duly executed, the Department Head or designated staff will be responsible for the administration of the contract regardless of the dollar value. Modifications to a contract must be in the form of a written amendment prepared and processed by the Department Head or designated staff and must be executed by the original signatories.
- F. Services procured under this policy will be for a term of one year unless a longer duration is approved in conformance with this policy. The Department Head may authorize the procurement of medical and health-related professional services for an initial term of two (2) years with possible extensions, through properly executed amendments, for up to three (3) additional one (1) year terms. The Procurement Director may authorize, in writing, a contract for a medical and health-related professional service for a term not to exceed five (5) years. The determination of contract duration must be based on sound business judgment and the Procurement Director and Department Head will endeavor to ensure that the contract is the most advantageous to Pima County.
- G. All procurement under these procedures must follow Pima County Code Title 20 and applicable Pima County policy and procedures developed for the promotion of participation by small business enterprises.
- H. Emergency procurement must be conducted in accordance with the Procurement Code Section 11.12.060.

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- I. Procurement procedures under this policy may be waived by the Department Head if one of the following applies:
 1. Sole source procurement.
 2. To meet legal or regulatory mandates.
 3. Existing providers where continuity of care is a primary consideration as long as reasonable market rates are in effect.
 4. Cases in which a primary consideration is for:
 - a. providers who either provide a limited-availability service (such as evaluation agencies indicated in A.R.S. 36-545.06),
 - b. providers who provide services in a health professional shortage area in which the overall potential providers are limited, or
 - c. providers willing to see patients that most providers are not (such as jail detainees), as long as reasonable market rates are in effect.
 5. Grant agreements or Intergovernmental Agreements (IGA) where adhering to this policy would result in non-compliance with the terms of the grant or IGA, or would contradict express direction of the grantor.
 6. Contracts with "any willing, qualified provider" where:
 - a. the Department or statute sets the reimbursement rates, and
 - b. all willing and qualified providers are needed to meet capacity requirements, or
 - c. providers are needed in an area with a shortage of relevant health providers, or
 - d. unique provider attributes best serve the Department's needs (e.g. ability to provide for jail detainees or specialized tuberculosis-related services).

The Administrator/Director Department Head will ensure that reasonable, market based rates are established, unless indicated in statute.

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IV. Procurement of medical and health-related professional services with an estimated annual cost of \$250,000 or less

- A. To procure medical and health-related professional services that are estimated to cost \$250,000 or less annually, the following documentation and information will be reviewed and approved by the Department Head:
 - 1. The duration of the contract;
 - 2. A written scope, defining with specificity, the services needed and the tasks to be performed under the contract;
 - 3. The payment basis and total cost to Pima County; and,
 - 4. Any other pertinent information helpful or requested in the procurement process.

- B. The Department Head or designated staff will:
 - 1. Develop a list of professionals/ firms available and capable of performing the services and tasks;
 - 2. Request solicitations from available and qualified providers on the list developed;
 - 3. Review responses received and make a selection using valid selection criteria appropriate for the professional service being procured;
 - 4. Develop the contract and process in accordance with Pima County contract processing procedures, ensuring that the solicitation number is referenced in the contract document; and,
 - 5. Obtain County Attorney review and approval as to form, on any agreement when the contract includes terms different than, or in addition to, the County standard contract terms, and when legal advice is necessary to protect the interest of the County.
 - 6. Obtain Risk Management review and approval on any agreement when the contract includes terms different than, or in addition to, the County standard contract insurance terms and/or limits.

V. Procurement of medical and health-related professional services with an estimated annual cost of more than \$250,000

- A. To procure medical and health-related professional services estimated to cost more than \$250,000 annually, the following documentation and information will be reviewed and approved by the Department Head:

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1. The duration of the contract;
 2. A written scope, defining with specificity, the services needed and the tasks to be performed under the contract;
 3. The payment basis and total cost to Pima County;
 4. All appropriate and valid measures for distinguishing and evaluating quality among qualified providers; and,
 5. A description of any unique requirements for the services requested.
- B. The Department Head or designated staff will:
1. Develop a list of professionals/firms available and capable of performing the services and tasks;
 2. Develop and prepare the solicitation;
 3. Review the completed solicitation prior to advertising;
 4. When circumstances warrant, recruit a team to develop and evaluate the responses submitted in response to the solicitation for a particular procurement. The team must be composed of no fewer than two members and must have at least one representative from the administering department and/or one technical expert;
 5. Ensure that the solicitation states all of the valid selection criterion, the weight to be assigned each criterion which will be used to evaluate the responses, and contains a sample of the contract;
 6. Provide public notice of the solicitation in the official newspaper of Pima County for a minimum of four days, at least 10 days in advance of the date completed responses must be received and post the solicitation on the County web site. Notice must briefly describe the service, the location where the solicitation packet may be obtained, and the closing date for receipt of the completed responses.
 7. If a selection team was formed, as pursuant to number 4 above, the team must evaluate the responses in accordance with the selection criteria and weights as stated in the solicitation. During the evaluation, the team may elect to interview, visit service sites, and/or review service methodologies on-site of those respondents who might be reasonably susceptible of being selected for contract award. Any interviews conducted must be uniform in nature and a record of all discussions and site visit results must be kept in the procurement record. In conducting any interviews, visits, or methodology reviews, there must be no disclosure of any

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information derived from responses submitted by, or interviews or site visits with, competing offerors; and,

8. Obtain Risk Management review and approval on any agreement when the contract includes terms different than, or in addition to, the County standard contract insurance terms and/or limits.
9. Obtain County Attorney review and approval, as to form, when required, on any agreement when the contract includes terms different than, or in addition to, the County standard contract terms and when legal advice is necessary to protect the interest of the County.

VI. Protests

Protests must be handled in accordance with the provisions of Pima County Procurement Code Section 11.20.10.

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