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## Notice of Intent to Certify Sole Source

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**To:** Interested Parties  
**From:** Craig P. Orgeron, Ph.D. <sup>CAO</sup>  
**CC:** ITS Project Number 42317  
**Date:** November 3, 2015  
**Re:** Sole Source Certification Number 3852 for Child And Adolescent Functional Assessment Scale (CAFAS) software, maintenance and site fees for the Mississippi Department of Mental Health (MDMH)  
**Contact Name:** Jill Chastant  
**Contact Phone Number:** 601-432-8214  
**Contact E-mail Address:** Jill.Chastant@its.ms.gov

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### Sole Source Certification Award Details

Regarding Information Technology Services (ITS) Sole Source Certification Number 3852 for Child And Adolescent Functional Assessment Scale (CAFAS) software, maintenance and site fees for the MDMH, please be advised that ITS intends to award the CAFAS software, maintenance and site fees to Multi-Health Systems, Inc. (MHS) through May 30, 2018, as the sole source provider in an amount not to exceed \$514,880.00. For an explanation regarding Mississippi state law, policy and procedures for sole source procurements, refer to Attachment C: Sole Source Procurement Overview.

### Sole Source Criteria

1. The product or services being purchased must perform a function for which no other product or source of services exist:

**The Child and Adolescent Functional Assessment Scale (CAFAS) assesses the degree of impairment in youth with emotional, behavioral, psychiatric, or substance use problems. The CAFAS provides an objective, comprehensive assessment of a youth's needs that is sensitive to change over time, making it the most widely used outcome measure available. CAFAS is the outcome scale used by the Department of Justice (DOJ) and MDMH is federally mandated to report the assessments to DOJ. The customer's sole source certification request is included as Attachment A.**

2. The purchaser must be able to show specific business objectives that can be met only through the unique product or services:

**This web-based software is utilized by the public community of mental health centers to meet federal grant reporting requirements. The software provides**

**assessment for children/youth with serious emotional and/or behavioral disturbances. CAFAS is the outcome scale used by the Department of Justice (DOJ) and MDMH is federally mandated to report the assessments to DOJ. The customer's sole source certification request is included as Attachment A.**

3. The product or services must be available only from the manufacturer and not through resellers who could submit competitive pricing for the product or services:

**MHS is the copyright holder and sole manufacturer of online assessments for child and adolescent functional assessment (CAFAS), preschool and early childhood functional assessment (PECFAS) and juvenile inventory for functioning (JIFF). These assessments can only be purchased from MHS. The vendor's sole source certification letter is included as Attachment B.**

### **Schedule**

<b>Task</b>	<b>Date</b>
First Advertisement Date	11/03/15
Second Advertisement Date	11/10/15
Response Deadline From Objectors	11/18/15, at 3:00 P.M. Central Time
Notice of Award/No Award Posted	Not before 11/19/15

### **Project Details**

In May 2012, MDMH purchased as a sole source web-based software for online assessments of children and adolescents in the State of Mississippi from Functional Assessment Systems in the amount of \$299,700.00. The Contract expired in May 2015. Through an Asset Purchase Agreement between MHS and Functional Assessment Systems, LLC, MHS acquired and owns all rights, title and interests in the software. MDMH requires an additional three years of maintenance through May 30, 2018, to meet federal reporting mandates required by the Department of Justice.

### **Submission Instructions and Format of Response from Objecting Parties**

Interested parties who have reason to believe that the software, maintenance and site fees should not be certified as a sole source should provide information in the following format for the state to use in determining whether or not to proceed with awarding the Sole Source contract to Multi-Health Systems, Inc.

#### **1.1 Interested Party Information**

1.1.1 Contact Name, Phone Number and email address

1.1.2 Company Website URL, if applicable

#### **1.2 Objection to Sole Source Certification**

1.2.1 Interested parties must present specific objections to the Sole Source certification using the criteria listed above.

1.2.2 A statement regarding the Interested Party's capabilities as related to this Sole Source Certification Request.

1.3 Comments will be accepted at any time prior to Wednesday, November 18, 2015, at 3:00 p.m. (Central Time) to Jill Chastant at [Jill.Chastant@its.ms.gov](mailto:Jill.Chastant@its.ms.gov) or at the Mississippi Department of Information Technology Services, 3771 Eastwood Drive, Jackson, Mississippi 39211. Responses may be delivered by hand, via regular mail, overnight delivery, e-mail or by fax. Fax number is (601) 713-6380. ITS WILL NOT BE RESPONSIBLE FOR DELAYS IN THE DELIVERY OF RESPONSES. It is solely the responsibility of the Interested Parties that responses reach ITS on time. Interested Parties may contact Jill Chastant to verify the receipt of their Responses. Responses received after the deadline will be rejected.

1.4 Interested Party responses should include the following information:

**SUBMITTED IN RESPONSE TO  
Sole Source Certification No. 3852-42317  
Accepted until November 18, 2015 @ 3:00 p.m.,  
ATTENTION: Jill Chastant**

If you have any questions concerning the information above or if we can be of further assistance, please contact Jill Chastant at 601-432-8214 or via email at [Jill.Chastant@its.ms.gov](mailto:Jill.Chastant@its.ms.gov).

- Attachment A: Customer Sole Source Certification Request
- Attachment B: Vendor Correspondence
- Attachment C: Sole Source Procurement Overview



3771 Eastwood Drive  
 Jackson, Mississippi 39211  
 Phone 601-432-8000 Fax 601-713-6380

## Sole Source Certification Request

<b>Project Title:</b> <b>Multi-Health Systems, Inc.</b>		<b>Stimulus (ARRA) Funds?</b> Yes No <b>X</b>	
<b>Customer Contact Information</b>			
<b>Agency/Public University:</b> MS Dept of Mental Health <b>Address:</b> 239 N. Lamar Street, Jackson, MS 39201		<b>Contact Person:</b> Denise Jones <b>Phone:</b> 601-8359-5182 <b>Fax:</b> <b>Email Address:</b> denise.jones@dmh.state.ms.us	
<b>MAGIC Customer Number</b> (only required from state agencies): 7000000265		<b>Division/Dept:</b> <b>Handmail:</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<b>Project Summary Narrative Description of Project</b> (include details of original acquisition if applicable): MDMH requires three years of maintenance through May 30, 2018, to meet federal reporting mandates required by the Department of Justice. Multi-Health Systems is the copyright holder and sole manufacturer on online assessments for child and adolescent functional assessment, preschool and early childhood functional assessment and juvenile inventory for functioning. These assessments can only be purchase from Multi-Health Systems.			
<b>ITS Acquisition Approval (CP-1) should be effective through this date</b> (Please allow time for all vendor invoices to be paid): 05/30/18			
<b>Cost Estimates</b>	<b>Initial Costs</b>	<b>Ongoing Costs</b>	<b>Time Constraints</b>
<i>Fiscal Year</i>			Item Needed by: 12/01/15 Funds Expire:
FY16	\$137,122.00		<b>Anticipated Lifecycle of Products/System</b> (i.e. estimated years of effective use):  <b>Discuss Funding</b> (e.g. how much of needed funding is definite; total project budget; any matching or other non-state funds) Funding is from grants.
FY17		\$152,580.00	
FY18		\$225,178.00	
<b>Total</b>		<b>\$514,880.00</b>	
<b>Acquisition Details</b>			
	<b>Items Requested</b>	<b>Quantity</b>	<b>Unit Price</b>
	FASOutcomes Web Annual Maintenance	60	\$400.00
	FASOutcomes Web-Hosted CAFAS Assessments (Qty of 100)	1,460	\$295.00
	CAFAS: Self-Training Manual	1,400	\$19.80
	Fee for Annual Renewal of Web Services	60	\$499.00
	CAFAS Manuals	60	\$42.00
<b>Describe platform &amp; infrastructure</b> (connectivity; software/hardware platforms; utilization of State Data Center resources: mainframe, eGovernment portal, payment engine, document management, hosting). This is a web-based solution.			
<b>Progress to Date:</b> What has been done related to this project, including any communication with ITS staff (data/voice/procurement/other)? Sole source letter sent to ITS.			
<b>Sole Source Certification</b> Note: Certification must be renewed for each revision or continuation of previous Sole Source Approvals.			
<b>Specific business requirements to be met by the requested products or services:</b> This web-based software is utilized by the public community of mental health centers to meet federal grant reporting requirements. The software provides assessment for children/youth with serious emotional and/or behavioral disturbances. CAFAS is the outcome scale used by the Department of Justice (DOJ) and MDMH is federally mandated to report the assessments to DOJ using CAFAS.			
<b>Explain why these products or services are the only ones that can meet your needs</b> (include unique features/special functionality): The Child and Adolescent Functional Assessment Scale (CAFAS) assesses the degree of impairment in youth with emotional, behavioral, psychiatric, or substance use problems. The CAFAS provides an objective, comprehensive assessment of a youth's needs that is sensitive to change to over time, making it the most widely used outcome measure available. CAFAS is the outcome scale used by the Department of Justice (DOJ) and MDMH is federally mandated to report the assessments to DOJ. MHS is the only vendor that can provide CAFAS.			
<b>Explain why the source is the only entity that can provide the products or services</b> (Include other products/vendors researched or evaluated): MHS is the copyright holder and sole manufacturer of online assessments for child and adolescent functional assessment, preschool and early childhood functional assessment and juvenile inventory for functioning. These assessments can only be purchased from MHS.			
<b>Explain why the amount to be expended for the services is reasonable:</b> N/A			
<b>Explain what your agency did to obtain the best possible price for the services:</b> N/A			

Vendor's Certification of Sole Source attached: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		Vendor's proposal submitted: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
MAGIC Vendor Code(s) Vendor must be in MAGIC before a CP-1 can be issued.			
Place Order To		Remit To	
Vendor Name: Multi-Health Systems, Inc.		Vendor Name: Multi-Health Systems, Inc.	
Vendor Address: 3770 Victoria Park Avenue		Vendor Address: 3770 Victoria Park Avenue	
Toronto, ON, Canada M2H 3M6		Toronto, ON, Canada M2H 3M6	

By my signature, I certify that, to the best of my professional knowledge, the requested product or services are a sole source as outlined in the ITS Procurement Handbook, Rule 207.2:013-030 Procurement Types: Sole Source, and as outlined in Mississippi Code annotated Section 31-7-13. In addition, I acknowledge that there is a charge for ITS procurement services associated with this request which will be billed to the requestor by ITS and that my agency/public university is responsible for these charges/costs.

DmH/CIO  
Name (Agency Head or Public University CIO)/Title

Sandra Jones 11-2-15  
Signature Date



*Publishers and Distributors of Professional Assessment Materials*

[www.mhs.com](http://www.mhs.com)

Tuesday, August 04, 2015

Cynthia T. Eubank, Special Assistant Attorney General  
Mississippi Department of Mental Health  
239 North Lamar Street  
1101 Robert E. Lee Building  
Jackson, MS 39201

Dear Cyndi:

**Re: Copyright Holder and Sole Manufacturer of CAFAS®; PECFAS®; and JIFF®**

This is to confirm that Multi-Health Systems Inc. ("MHS") represents and warrants that it is the copyright holder and sole manufacturer of the following assessments:

**Child and Adolescent Functional Assessment Scale® (CAFAS®);**

**Preschool and Early Childhood Functional Assessment Scale® (PECFAS®);**  
and

**Juvenile Inventory for Functioning® (JIFF®)**

These assessments can only be purchased directly from MHS.

If you require any additional information, please feel free to contact me.

Sincerely,

Betty Mangos

[betty.mangos@mhs.com](mailto:betty.mangos@mhs.com)

A handwritten signature in blue ink that reads "BMangos". The signature is written in a cursive, flowing style.

MULTI-HEALTH SYSTEMS INC.

MHS

In Canada: 3770 Victoria Park Ave., Toronto, ON M2J 1S8; (800) 268-0011 or 416-492-2627

In US: P.O. Box 050, North Tonawanda, NY 14120-0050; (800) 456-3003

International +1-416-492-2627

Fax +1-416-492-3343; Toll Free In Canada and the U.S. (888) 540-4484

VISIT OUR WEBSITE AT <http://www.mhs.com>



Multi-Health Systems Inc.  
Psychological Assessments & Services

USA  
P.O. Box 950  
North Tonawanda, NY  
14120-0950  
T 1.800.456.3003  
F 1.888.540.4484

CANADA  
3770 Victoria Park Ave.  
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[www.mhs.com](http://www.mhs.com)

August 24, 2015

Sandra Parks, M.C.P., CMHT, Director, Division of Children & Youth Services  
Mississippi Department of Mental Health  
239 North Lamar Street  
1101 Robert E. Lee Building  
Jackson, Mississippi, 39201

- and -

Mississippi Department of Information Technology Services  
3771 Eastwood Drive  
Jackson, Mississippi, 39211  
U.S.A.

Re: Child and Adolescent Functional Assessment Scale® (CAFAS®), Preschool and Early Childhood Functional Assessment Scale® (PECFAS®) and Juvenile Inventory for Functioning® (JIFF®)

Further to our letter to Cynthia T. Eubank, Special Assistant Attorney General, Mississippi Department of Mental Health dated August 4, 2015 confirming that Multi-Health Systems Inc. ("MHS") is the copyright holder and sole publisher of the Child and Adolescent Functional Assessment Scale® (CAFAS®), Preschool and Early Childhood Functional Assessment Scale® (PECFAS®) and Juvenile Inventory for Functioning® (JIFF®) (collectively the "Tests"), this letter is to confirm that MHS acquired and owns all right, title, and interest in and to the Tests by way of an Asset Purchase Agreement dated March 26, 2012 between MHS and Functional Assessment Systems, LLC.

If you have any further questions, please do not hesitate to contact us.

Sincerely,

MULTI-HEALTH SYSTEMS INC.

## **Attachment C: Sole Source Procurement Overview**

The acquisition of information technology for all state agencies and institutions of higher learning (IHLs) is within the scope of the ITS law, found in Mississippi Code Section 25-53-1, et seq., and the policies and procedures established in accordance with this statute, found in the ITS Procurement Handbook posted on the ITS website ([www.its.ms.gov](http://www.its.ms.gov)).

ITS enabling legislation requires that information technology hardware, software and services be acquired in a manner that insures the maximum of competition among all manufacturers and suppliers of such equipment and services. Accordingly, ITS promotes full and open competition through the issuance of open specifications and the objective evaluation of Interested Party proposals to determine the lowest and best offering to meet an agency's or public university's business requirements. True competition protects the integrity and credibility of purchasing in the public sector and is essential in providing best value and adequate contractual protection for the purchasing entity. In certain limited situations, information technology acquisitions may be sole-sourced.

ITS utilizes the provisions of Public Purchasing Law for Sole Source and Emergency procurements of information technology. Mississippi Public Purchasing Law (Mississippi Code Section 31-7-13) specifies that noncompetitive items available from one source only be exempted from bid requirements (sole-sourced). ITS statute, in Section 25-53-5 (p), permits ITS to utilize provisions in Public Purchasing Law or regulations, when applicable.

Per Public Purchasing law, acquisitions must meet the following criteria to be authorized as sole source:

1. The product or services being purchased must perform a function for which no other product or source of services exists,
2. The purchaser must be able to show specific business objectives that can be met only through the unique product or services, AND
3. The product or services must be available only from the manufacturer and NOT through resellers who could submit competitive pricing for the product or services. The vendor's correspondence regarding this criterion for this project is included as Attachment B.

By policy as documented in the ITS Procurement Handbook, acquisitions of IT services must include the following information to be authorized as sole source:

1. An explanation about why the amount to be expended is reasonable, and
2. An explanation regarding the efforts by the purchaser to obtain the best possible price.

For state agencies, approval of all technology purchases with a lifecycle cost of \$5,000 or less, including sole source purchases, has been delegated to the agency. The ITS Procurement Limits Policies for Agencies (a section in the ITS Procurement Handbook) require a minimum of two competitive written bids or proposals for technology purchases with a lifecycle cost over \$5,000 but not over \$50,000 (not over \$25,000 for projects funded by the American Recovery and Reinvestment Act). Since, for single source items, the procuring agency will be unable to obtain two written bids, ITS must certify all sole source acquisitions of information technology with a lifecycle cost greater than \$5,000.

Institutions of Higher Learning (IHLs) or public universities have been delegated the authority to certify sole source procurements up to \$250,000 lifecycle cost under the ITS Procurement Limits Policies for IHLs (a section in the ITS Procurement Handbook). For the certification of sole source procurements delegated to the CIOs at public universities, the public university must follow ITS' Sole Source Procedure, including advertisement of the intent to award as sole source. Institutions certifying a sole source purchase must ensure the criteria listed above are met and documented in writing by the institution and the Interested Party prior to certifying a product or service as sole source. Sole source documentation must be reviewed and approved by the IHL's CIO for any sole-source certification above \$5,000. All sole source documentation should be retained in the public university's procurement file. Sole source requests above \$250,000 lifecycle cost require ITS approval.

## **Attachment C: Sole Source Procurement Overview**

Other than the delegations outlined above, all sole source technology procurements must be certified by ITS. The customer's Sole Source Certification Request for this project is included as Attachment A.

ITS thoroughly reviews Sole Source Certification Requests, determining if competing products and/or services exist. If so, ITS conducts a competitive procurement. If ITS' review confirms the sole source, then a Sole Source advertisement is issued, giving other Interested Parties an opportunity to identify competing products and/or services. Based upon the results of the Sole Source advertisement, ITS will either certify the request as a sole source or conduct a competitive procurement.