



Notice of Intent to Certify Sole Source

To: Interested Parties

From: David C. Johnson 

CC: ITS Project Number 48066

Date: January 30, 2024

Re: Sole Source Certification Number 4605 to provide interRAI Home Care (HC) Courseware Subscription for the Mississippi Division of Medicaid (DOM)

Contact Name: Courtney Harper

Contact Phone Number: 601-432-8195

Contact E-mail Address: Courtney.Harper@its.ms.gov

Sole Source Certification Award Details

Regarding Information Technology Services (ITS) Sole Source Certification Number 4605 for the Mississippi Division of Medicaid (DOM), please be advised that ITS intends to award Relias, LLC, as the sole source provider of interRAI Home Care (HC) Courseware Subscription through February 16, 2025 in an amount not to exceed \$14,511.66. If DOM opts to continue to renew the interRAI Home Care (HC) Courseware Subscription, this sole source certification will be valid through February 16, 2027. Please be advised that ITS will determine if additional subscriptions are within scope during the certification period and may increase the spending authority accordingly. Should Relias, LLC change their name during this certification period, then ITS will determine if a recertification is necessary. For an explanation regarding Mississippi state law, policy and procedures for sole source procurements, refer to Attachment B: 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 Centers for Medicare & Medicaid Services (CMS) requires a standardized core assessment in Long-Term Services and Support systems (LTSS) for Home and Community Based Services (HCBS) Waivers and Nursing Facility (NF) admissions. Based on the CMS standardized core assessment requirements, DOM contracted with interRAI for an online assessment tool at no cost that integrated with DOM's current LTSS. InterRAI is the original developer and owner of all the intellectual property for the interRAI Home Care (HC) assessment, which was developed for use with adults in home and community based settings that require formal home and

supportive services. interRAI also provides scales and indices that can be used to evaluate an individual's current clinical status with the level of care scores from this assessment generated upon completion and submitted with the beneficiary application. The interRAI Home Care courseware subscription, provided by Relias, offers two comprehensive solutions for home healthcare providers to improve patient outcomes. The courseware provides consultation services to ensure trainer competency and provide e-learning that is streamlined to ensure that learners only receive training that they need. There are approximately 600 assessors that are required to complete the certification on an annual basis.

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

interRAI HC assessment courseware is an integrated component of the LTSS that DOM is currently utilizing through FEI, Inc. There is no charge to the State for the interRAI HC tool; however, it requires an online subscription for training that is provided by Relias. With the interRAI Home Care courseware, users will be able to complete training assessments and receive necessary certifications once the courseware is completed.

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:

interRAI is the original developer and owner of all the intellectual property for the interRAI Home Care assessment involved in this contract. As such, it is the only organization able to provide up-to-date and comprehensive training on all aspects of the implementation of these instruments in Mississippi. In addition, interRAI requires a license for any organization to develop electronic products (such as e-Training) that incorporate its intellectual property, and AIS/Relias is the only firm currently licensed by interRAI for e-Training that also includes competency training.

Schedule

Task	Date
First Advertisement Date	01/30/24
Second Advertisement Date	02/06/24
Response Deadline From Objectors	02/13/24 at 3:00 P.M. Central Time
Notice of Award/No Award Posted	Not before 02/14/24

Project Details

Prior to 2018, DOM obtained training services from interRAI with approval through the Mississippi Office of Personal Services Contract Review. Including with the training, at no cost, was an online assessment tool, where DOM executed a License Agreement with interRAI Corporation to obtain the right to use, publish, and distribute interRAI Home Care. After a purview review of the assessment tool, ITS issued Notice of Intent to Certify Sole Source Number 4135 for interRAI Home Care (HC) Courseware Subscription for DOM. No objections were received; therefore, ITS awarded Relias Learning, Inc. as the sole source provider of the services through February 19, 2021. During contract negotiations, it was determined that the company name for Relias Learning, Inc. should be Relias, LLC. Notice of Intent to Certify Sole Source Number 4238 was issued to correct the vendor's name to Relias, LLC. In January 2021, Notice of Intent to Certify Sole Source

Number 4366 was issued to extend the agreement through February 16, 2024. Since 2018, DOM has received approval to spend \$231,500.82 with Relias, LLC for this subscription.

Submission Instructions and Format of Response from Objecting Parties

Interested parties who have reason to believe that the InterRAI Home Care (HC) Courseware Subscription 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 Relias, LLC.

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 Tuesday, February 13, 2024 at 3:00 p.m. (Central Time) to Courtney Harper at Courtney.Harper@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 Courtney Harper 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:

<p style="text-align: center;">SUBMITTED IN RESPONSE TO Sole Source Certification No. 4605-48066 Accepted until February 13, 2024 @ 3:00 p.m., ATTENTION: Courtney Harper</p>

If you have any questions concerning the information above or if we can be of further assistance, please contact Courtney Harper at 601-432-8195 or via email at Courtney.Harper@its.ms.gov.

Attachment A: Vendor Correspondence
Attachment B: Sole Source Procurement Overview



January 19, 2024

VIA ELECTRONIC MAIL

Mississippi Division of Medicaid
550 High Street, Suite 1000
Jackson, MS 39201
United States

Re: Sole Source Confirmation

To Whom It May Concern,

This letter is to confirm that Relias LLC ("Relias") is the sole source, publisher and copyright holder of all of its tracking and reporting features and is the sole source provider of the Relias Learning Management System ("RLMS"). Relias, through its affiliate AIS, Inc., has a license to distribute InterRAI software through the RLMS.

The RLMS has been developed in-house by Relias and is a completely proprietary system to which Relias owns all intellectual property rights.

Please feel free to contact us with any further questions at contracts@relias.com.

Sincere regards,

Barbara Kierney
Barbara Kierney
Corporate Counsel
Relias LLC



November 16, 2023

Ms. Misty Jenkins
Solutions Management, Long Term Services and Supports
Mississippi Division of Medicaid
Walter Sillers Building, Suite 1000
550 High Street
Jackson, Mississippi 39201

Via Email: Misty.Jenkins@medicaid.ms.gov

Dear Ms. Jenkins:

interRAI is the original developer and owner of all of the intellectual property for the interRAI Home Care assessment involved this contract. As such, it is the only organization able to provide up-to-date and comprehensive training on all aspects of the implementation of these instruments in Mississippi. In addition, interRAI requires a license for any organization to develop electronic products (such as e-Training) that incorporate its intellectual property, and AIS/Relias is the only firm currently licensed by interRAI for e-Training that also includes competency training.

Please contact me if you have any questions or need additional information.

Yours truly,

A handwritten signature in black ink, appearing to read "Len Gray", written over a horizontal line.

Len Gray, MD, PhD
Contracts Director

3577 Delhi Overlook, Ann Arbor, Michigan 48103, USA

Attachment B

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).

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 A.

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 \$75,000 (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

Attachment B

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.

Other than the delegations outlined above, all sole source technology procurements must be certified by ITS.

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.