COMMUNITY AND SENIOR SERVICES
OF LOS ANGELES COUNTY

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"To Enrich Lives Through Effective And Caring Service"

BOARD OF SUPERVISORS

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December 8, 2009

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors: **(REVISED)**

AUTHORIZATION TO AWARD AND EXECUTE FINAL CONTRACTS FOR AREAS 3 AND 12 FOR THE WORKFORCE INVESTMENT ACT (WIA) ADULT AND DISLOCATED WORKER (ADW) PROGRAM AND AUTHORITY TO AMEND THE MONTH-TO-MONTH CONTRACT WITH CAREER PARTNERS TO ADJUST THE MAXIMUM MONTHLY AMOUNT (ALL SUPERVISORIAL DISTRICTS AFFECTED) (3 VOTES)

SUBJECT

This Board Letter requests authorization to award and execute final contracts for Areas 3 and 12 for the WIA ADW Program and authority to amend the initial month-to-month contract awarded to Career Partners to adjust the maximum monthly amount for actual expenditures incurred during July 2009 through November 2009 for the provision of WIA job-related employment, placement, and training services to the residents of Los Angeles County.

IT IS RECOMMENDED THAT YOUR BOARD:

1. Authorize the Director of Community and Senior Services (CSS), or designee, to award and execute final contracts for Area 12 with Managed Career Solutions (MCS) and Career Partners in the estimated amount of $900,000 for each contractor, after County Counsel approval as to form, effective the date of Board approval through June 30, 2012, with the option to extend the term for one additional year through June 30, 2013. Funding for future years is subject to availability.

2. Authorize the Director of CSS, or designee, to negotiate and execute a contract in Area 3 with Community Career Development (CCD) in the estimated amount of $600,000 after County Counsel approval as to form, effective the date of

Board approval through June 30, 2012, with the option to extend the term for one additional year through June 30, 2013. Funding for future years is subject to availability.

3. Authorize the Director of CSS, or designee, to continue the month-to-month contract with Compton CareerLink through March 31, 2010 to allow for the completion of the transition process.

4. Authorize the Director of CSS, or designee, to execute an amendment to the initial month-to-month contract with Career Partners, after County Counsel approves amendment as to form, to adjust the monthly maximum contract amount from $61,900 to a maximum contract amount of $121,000 to cover the actual number of clients served during the period July through November 2009. This exception to the County's contracting policy is necessitated by the extremely high unemployment rates and critical need to continue to provide employment training services while the County completed the contracting process to negotiate a long-term contract for said services.

5. Authorize the Director of CSS, or designee, to negotiate and execute amendments to increase or decrease the maximum contract amount not to exceed 5 percent per contractor based on contractor performance and availability of funding, after County Counsel approval as to form, provided that: a) approval of County Counsel and the CEO are obtained prior to any such amendment; and b) the Director of CSS confirms in writing to the Board of Supervisors and the CEO within 30 days after execution of the amendments.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTIONS

On June 30, 2009, the Board of Supervisors awarded month-to-month WIA ADW contracts in Areas 3 and 12. In Area 3, a month-to-month contract was awarded to Compton CareerLink; in Area 12, month-to-month contracts were awarded to both Career Partners and MCS. In these two areas, month-to-month contracts were awarded while contract appeals were handled through the County Protest Review.

These recommended actions are a result of: 1) the June 30, 2009 request by the Board of Supervisors for CSS to return to the Board with final recommendations for contract award for Areas 3 and 12 following completion of the County Protest Review; and 2) the County Review Panels conducted in July and August 2009; and the November 12, 2009 approval by the Workforce Investment Board (WIB) of the final contract award and funding recommendations for Areas 3 and 12 for submission to the Board of Supervisors.

The WorkSource Centers provide mandated services including core, intensive, and training services. Core services are available to a universal population and include, but are not limited to: comprehensive counseling: assisted job search; program eligibility determination; and referral information. Intensive services include comprehensive and

specialized assessment of skill levels and service needs, diagnostic testing, in-depth interviewing, and evaluation to identify employment barriers, development of an individual care plan, group counseling, individual counseling and career planning, case management and short-term pre-vocational services.

Area 3

On September 2, 2009, CSS received the County Review Panel's report for the City of Compton. In summary, the Panel made the following determination in the four areas that were asserted: 1) The Department did not make any identifiable mathematical or other errors in evaluation of the proposals; 2) the Department did not materially fail to follow procedures specified in the solicitation document; 3) there was no evidence of bias by members of the Evaluation Committee or their superiors; and 4) there was no violation or basis for review as provided by state or federal law.

As Compton CareerLink's final score did not change and CCD maintained its position as the highest scorer in Area 3, the Department recommended to the WIB final contract award to CCD. On November 12, 2009, the WIB approved this recommendation, along with a four-month transition period for Compton CareerLink, for submission to the Board of Supervisors.

Transition Plan

As a result of the recommendation to award a contract to CCD for Area 3, Compton CareerLink will need additional time to transition current clients and terminate services. Therefore, Compton CareerLink's month-to-month contract will be extended through March 31, 2010 to allow the agency sufficient time to close its WIA ADW Program and assist in the transition of Compton clients to CCD. This period of time will also allow CCD time to formalize space arrangements and work with the mandatory partners, including the State Employment Development Department, in its smooth transition to the CCD WorkSource Center site and ensure compliance with WIB Certification requirements.

Area 12

In August 2009, CSS received the County Review Panel's reports for Career Partners and MCS. Overall, the County Protest Panel recommended that CSS review the disputed questions discussed during the protest process for Career Partners and rescore them across all proposals. The Panel's recommendation resulted in Career Partners becoming the highest bidder over MCS by five points.

In the remaining three areas, the Panel's review noted that: 1) the Department did not materially fail to follow procedures specified in the solicitation document; 2) there was

no evidence of bias by members of the Evaluation Committee or their superiors; and 3) there was no violation or basis for review as provided by state or federal law.

As a result of the Panel's recommendation, both agencies have final scores that are among the best from all the proposals submitted and the point differential is negligible. Additionally, both agencies demonstrated the exceptional ability to provide quality services in the West San Gabriel Valley. Given these factors and the great need for services in the West San Gabriel Valley, the Department recommended to the WIB to split the funds equally among the two agencies. Recognizing this would best serve the interest of the County and its residents, on November 12, 2009, the WIB approved this recommendation for submission to the Board of Supervisors.

During the initial five months of the program and pending final contract award in Area 12, Career Partners incurred costs that exceeded the cap allowed in the month-to-month amendment approved by the Board on June 30, 2009. Career Partners continued to provide full services to the residents of West San Gabriel Valley during the County Review Panel's process. Therefore, the Department also recommended to the WIB to adjust the monthly maximum contract amount from $61,900 to a maximum of $121,000 to cover the actual number of clients served during the period July through November 2009. This exception to the County's contracting policy is necessitated by the extremely high unemployment rates and critical need to continue to provide employment training services while the County completed the contracting process to negotiate a long-term contract for said services. On November 12, 2009, the WIB approved this recommendation for submission to the Board of Supervisors.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

The recommended actions are consistent with principles of the Countywide Strategic Plan goals of *Children, Family and Adult Well-Being.*

Performance Measures

The program's success will be measured on the indicators established by WIA and are aligned with the County's *Performance Counts!* Initiative. The two performance outcomes to be tracked are: 1) placement into unsubsidized employment and 2) job retention.

FISCAL IMPACT/FINANCING

There is no impact on the County general fund, as the WIA ADW Program is fully financed by WIA ADW funding. Attached is a chart reflecting the funding that each contractor will receive in Areas 3 and 12.

The proposed allocations include the American Recovery and Reinvestment Act (ARRA) funds. These are two-year contracts with one option to extend the term for one additional year through June 30, 2013. The ARRA funds are only for Fiscal Year (FY) 2009-10 and may not be available through FY 2012 and 2013; therefore, the funding allocations for the next two years may change and reflect only the baseline funds.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

On October 17, 2008, CSS released a Request-for-Proposal (RFP) for the WIA ADW program in 12 areas. On June 30, 2009, the Board of Supervisors awarded final contracts for nine of the 12 areas, awarding month-to-month contracts in Areas 3 and 12. In Area 3, a month-to-month contract was awarded to Compton CareerLink; in Area 12, month-to-month contracts were awarded to both Career Partners and MCS. In these two areas, month-to-month contracts were awarded while contract appeals were handled through the County Review Panels.

Based on the Panel's reports, the Department recommended to the WIB contract awards to CCD in Area 3 and both MCS and Career Partners in Area 12. The WIB approved these recommendations for submission to the Board of Supervisors for final contract award.

The recommended contract award to CCD will effectively terminate Compton CareerLink's month-to-month contract. To ensure a seamless transfer from one provider to another with minimal disruption in services, clients who are already enrolled in the WIA ADW programs will be transitioning in accordance to an approved transition plan submitted by Compton CareerLink that will be implemented effective on the date of Board approval through March 31, 2010. CSS will monitor the entire process to ensure that the approved activities and timelines are maintained.

Additional Actions Resulting from June 30, 2009 Board Agenda

As mentioned earlier, on June 30, 2009, the Board awarded month-to-month contracts pending the resolution of third level appeals for Areas 3 and 12. These appeals needed to be redone because the Department handled them through a WIB Review Panel instead of a County Review Panel in accordance with the County Protest Policy process.

In addition to requesting that County Review Panels be conducted for Areas 3 and 12, the Board also requested the Auditor-Controller to review the: 1) Department's contract solicitation process, specifically the third level appeals process for this solicitation; and 2) the appropriateness of the proposed $9.2 million for program coordination and administration.

On August 14, 2009, the Auditor-Controller submitted its report to the Board, making the following recommendations.

- The Department needs to follow the Protest Policy, replacing the WIB Review Panel on this and all future solicitations.

  To address this recommendation, County Review Panels were conducted for this solicitation for Areas 3 and 12 in July and August 2009. In addition, the Department, CEO, and County Counsel submitted Corrective Action Plans to the Board citing specific actions (e.g., periodic/ongoing CSS/CEO staff training on contracting requirements, CEO and CSS executive staff oversight of all appeals, and CSS executive staff involvement in any third level appeal) that have been put into place to ensure that all solicitation protests will be handled in accordance with County policy.

  County Counsel also committed to ensure that the County Review Panel process would be incorporated in all future WIA solicitations to allow proposers the option to avail themselves of the County Review Panel Process if they are aggrieved. The County Review Panel's recommendations will then go to the Workforce Investment Board for final recommendation to the Board of Supervisors. These actions will not only ensure compliance with the County Protest Policy and solicitation requirements but also act as safeguards to protect the integrity of the County solicitation process.

- The Department needs to ensure the mathematical accuracy of the evaluation instruments and that the evaluators provide written comments to support the individual scores. In its review, the Auditor-Controller noted minor math errors and the lack of written comments. While these issues did not impact the overall results of the solicitation, they need to be corrected.

  To address these issues, the Department is now providing training to the raters for each solicitation on the requirement to provide written comments to support each rating. In addition, each rater's evaluation tool will be reviewed by a contract manager to ensure: 1) scores have been correctly calculated; and 2) there are supporting written comments.

In its review of the Department's administrative program coordination costs for the FY 09-10 WIA ADW program, the Auditor-Controller concluded that the costs appeared appropriate, reasonable and within the maximum allowed amount.

CONTRACTING PROCESS

CSS released a RFP on October 17, 2008 to solicit providers for the areas that included Compton (Area 3) and West San Gabriel Valley (Area 12).

The solicitation was open to private, non-profit, and public and private for-profit organizations. Individuals and other WIBs were not eligible. Fourteen proposals were received in response to the RFP. Following the evaluation/initial recommendations, there was a debriefing process, a contractor selection review, and a WIB panel review process. As a result of the June 30, 2009 Board Motion, the WIB panel review process was rescinded and the County Review Panel was convened to review the selection process for both Area 3 and 12.

In August, the County Review Panel issued its recommendation which resulted in Career Partners becoming the highest bidder over MCS by five points. Thus both agencies have final scores that are among the best from all proposals. Additionally, both agencies have demonstrated an exceptional ability to provide quality services in Area 12. Given these factors, the Department recommended to the WIB that the Board of Supervisors split the award equally between Career Partners and MCS. The WIB approved this recommendation on November 12, 2009, also approving an amendment to the initial month-to-month contract with Career Partners to adjust the monthly maximum amount from an estimated $61,900 to a maximum of $121,000 to reflect actual expenditures during the first five months of initial contract award.

The Department, also concurring with the Panel's final recommendation to award the contract for Area 3 to the highest bidder, recommended to the WIB that the Board of Supervisors award the final contract to CCD. The WIB approved this recommendation, along with a four-month transition period for Compton CareerLink, on November 12, 2009.

These are multi-year contracts and they terminate in July 2012, with a one-year option to extend through June 30, 2013. The Department anticipates releasing a new solicitation in 2012 for new contractors to be in place by July 2013.

Monitoring Requirement:

Beginning with FY 2003-04, CSS contracted with the Auditor-Controller's office to conduct fiscal and contract compliance monitoring of all its WIA contractors. CSS is responsible for ensuring, through its resolution process that the reported monitoring findings are resolved and training is provided to contractors, if necessary, and/or program policies are developed.

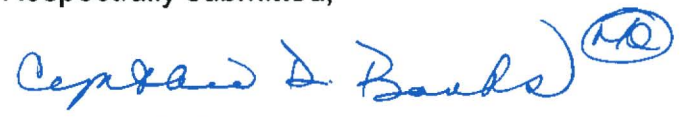
IMPACT ON CURRENT SERVICES (OR PROJECTS)

The recommended actions will allow for the continued provision and workforce investment services to job seekers and employers within Los Angeles County.

CONCLUSION

Upon Board approval, please mail two copies of the adopted Board Letter to Tina Hoang, Administrative Services Manager II, Community and Senior Services, at 3175 West Sixth Street, Los Angeles, CA 90020.

Respectfully submitted,



CYNTHIA D. BANKS
Director

CDB:MQ:th

Attachment

c: Chief Executive Officer
Acting County Counsel
Auditor-Controller
Executive Officer, Board of Supervisors

WORKFORCE INVESTMENT ACT ADULT AND DISLOCATED WORKER
FY 2009-10 FUNDING FOR AREAS 3 AND 12

Funding Allocations - Area 3 FY 2009-10			
Contractors	July 2009 - Mar 2010	Dec 2009 - June 2010	July 2009 - June 2010
Compton CareerLink			
ARRA	$ 486,000	$ -	$ 486,000
Formula	$ 565,000	$ -	$ 565,000
Total	$ 1,051,000	$ -	$ 1,051,000
Community Career Development			
ARRA	$ -	$ 154,000	$ 154,000
Formula	$ -	$ 452,000	$ 452,000
Total	$ -	$ 606,000	$ 606,000
Area 3			
ARRA	$ 486,000	$ 154,000	$ 640,000
Formula	$ 565,000	$ 452,000	$ 1,017,000
Area 3 - Total	$ 1,051,000	$ 606,000	$ 1,657,000

Funding Allocations - Area 12 FY 2009-10			
Contractors	July 2009 - Nov 2009	Dec 2009 - June 2010	July 2009 - June 2010
Career Partners			
ARRA	$ 226,000	$ 361,000	$ 587,000
Formula	$ 339,000	$ 525,000	$ 864,000
Total	$ 565,000	$ 886,000	$ 1,451,000
Managed Care Solutions (MCS)			
ARRA	$ 177,000	$ 361,000	$ 538,000
Formula	$ 266,000	$ 525,000	$ 791,000
Total	$ 443,000	$ 886,000	$ 1,329,000
Area 12			
ARRA	$ 403,000	$ 722,000	$ 1,125,000
Formula	$ 605,000	$ 1,050,000	$ 1,655,000
Area 12 - Total	$ 1,008,000	$ 1,772,000	$ 2,780,000