



County of Los Angeles  
DEPARTMENT OF CHILDREN AND FAMILY SERVICES

425 Shatto Place, Los Angeles, California 90020  
(213) 351-5602

ANTONIA JIMÉNEZ  
Acting Director

March 23, 2011

To: Supervisor Michael D. Antonovich, Mayor  
Supervisor Gloria Molina  
Supervisor Mark Ridley-Thomas  
Supervisor Don Knabe  
Supervisor Zev Yaroslavsky

Board of Supervisors  
GLORIA MOLINA  
First District  
MARK RIDLEY-THOMAS  
Second District  
ZEV YAROSLAVSKY  
Third District  
DON KNABE  
Fourth District  
MICHAEL D. ANTONOVICH  
Fifth District

From: Antonia Jiménez  
Acting Director

**NOTIFICATION OF USE OF BOARD DELEGATED AUTHORITY TO EXECUTE CONTRACT AMENDMENT ONE FOR EMERGENCY SHELTER CARE (ESC) SERVICES WITH MAURICE AND DELTA CLAYBROOK, VIRGINIA VIVANCO, AND GEORGINA AND CAYETANO VAZQUEZ**

This is to notify your Board that I have used Board delegated authority to execute three (3) Emergency Shelter Care Contract amendments, as adopted by your Board on September 16, 2008. The three (3) ESC contract amendments are as follows:

- Maurice and Delta Claybrook, Contract Number 07-075-04, changed service capacity from one (1) teen mom bed (under 18 years) and her infant crib at \$600 a month to one (1) youth bed (ages 13-17) at \$400 a month for a new Maximum Annual Contract Sum of \$6,000 and a new Maximum Contract Sum of \$20,400;
- Virginia Vivanco, Contract Number 07-075-12, changed service capacity from one (1) youth male bed (ages 13-17) at \$400 a month to one (1) child male bed (ages 2-12) at \$300 a month for a new Maximum Annual Contract Sum of \$4,200 and a new Maximum Contract Sum of \$13,800; and
- Georgina and Cayetano Vazquez, Contract Number 07-075-11, changed service capacity from five (5) sibling group placements to six (6) sibling group placements with a new Maximum Annual Contract Sum of \$26,400 and a new Maximum Contract Sum of \$74,400. This amendment also includes a legal name change from Georgina Vazquez to Gina Vazquez.

The objective of the ESC Services contract is to provide temporary shelter (beds) to children, youth, sibling groups, and teen mothers and their infants who have been taken into protective custody, until more permanent arrangements can be made.

If you have any questions or need additional information, you may call me at (213) 351-5600 or your staff may contact Aldo Marin, Board Liaison, at (213) 351-5530.

AJ:CMM:AM:  
KAF:CC:bm/mw

c: Chief Executive Officer  
County Counsel  
Executive Office, Board of Supervisors

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A/S



County of Los Angeles  
DEPARTMENT OF CHILDREN AND FAMILY SERVICES

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PATRICIA S. PLOEHN, LCSW  
Director

Board of Supervisors  
GLORIA MOLINA  
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Second District  
ZEV YAROSLAVSKY  
Third District  
DON KNABE  
Fourth District  
MICHAEL D. ANTONOVICH  
Fifth District

September 16, 2008

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

**ADOPTED**  
BOARD OF SUPERVISORS  
COUNTY OF LOS ANGELES

27 SEP 16 2008

Dear Supervisors:

*Sachi A. Hamai*  
SACHI A. HAMAI  
EXECUTIVE OFFICER

**REQUEST TO APPROVE FORM CONTRACT FOR EMERGENCY SHELTER CARE SERVICES WITH VARIOUS LICENSED FOSTER PARENTS (ALL SUPERVISORIAL DISTRICTS) (3 VOTES)**

**SUBJECT**

Requesting approval to execute contracts to provide temporary shelter to children and youth taken into protective custody by the Department of Children and Family Services (DCFS) under the Emergency Shelter Care (ESC) program for the period from October 1, 2008 through September 30, 2011 at a total cost of \$194,400.

**IT IS RECOMMENDED THAT YOUR BOARD:**

1. Approve the form contract in Attachment 1 and delegate authority to the Director of DCFS, or her designee, to execute nine (9) contracts substantially similar to the form contract in Attachment 1 with the qualified contractors indicated on Attachment 2; and to execute contracts with additional qualified contractors to fulfill unmet needs during the term of the contracts, provided that: (a) sufficient funding is available; (b) prior County Counsel approval is obtained; and (c) the Director of DCFS notifies your Board and the CEO in writing within ten (10) working days of execution of such contracts. The contractors were, and any additional contractors will be, procured in compliance with applicable procurement laws and County contracting policies. The term of the contracts will be October 1, 2008, or date of execution, whichever is later, and expire on September 30, 2009, with the options to extend for up to two (2) additional one-year periods through September 30, 2011. The total one-year cost of the nine (9) contracts is \$64,800, which will be financed using 75 percent (\$48,600) Federal revenue, 17.5 percent (\$11,340) State revenue, and 7.5 percent (\$4,860) net County cost (NCC). The total three-year cost of the nine (9) contracts is \$194,400, which will be financed using 75 percent (\$145,800) Federal revenue, 17.5 percent (\$34,020)

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State revenue, and 7.5 percent (\$14,580) NCC. Sufficient funding is included in the Department's FY 2008-09 Adopted Budget.

2. Delegate authority to the Director of DCFS, or her designee, to terminate ESC Services contracts for convenience provided that: (a) the contractor requests it in writing, at least 30 days in advance of the termination date; and (b) the CEO approves the termination; and (c) the Director of DCFS finds that it is in the best interests of the County to terminate the contract for convenience; and (d) the Director of DCFS notifies the Board and the CEO in writing within ten (10) working days of the termination.
3. Delegate authority to the Director of DCFS, or her designee, to execute amendments to increase or decrease the contract amount by no more than ten percent of the Maximum Contract Sum, if necessary, to accommodate changes in the level of services and/or changes in service availability based on the bed availability rates per category established in the solicitation provided that: (a) sufficient funding is available; and (b) prior County Counsel and CEO approvals are obtained; and (c) the Director of DCFS notifies your Board and the CEO in writing within ten (10) working days of execution of such amendments.
4. Delegate authority to the Director of DCFS, or her designee, to execute amendments for non-material changes provided that: a) prior County Counsel and CEO approvals are obtained, and b) the Director of DCFS notifies your Board and the CEO in writing within ten (10) working days of execution of such amendments.

#### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTIONS**

The current ESC Services contracts expire on September 30, 2008. The recommended actions will ensure continuous availability of beds contracted for temporary placements of children taken into protective custody, either by the Emergency Response Command Post (ERCP) or the case management staff, until more permanent arrangements can be made. The ESC Services ensure availability of beds for children, youth, sibling groups, and teen mothers and their infants.

Achievement will be measured according to the following performance targets: 1) 100 percent of children and youth are free of substantiated allegations of abuse and neglect by other children, family members and/or contractors; 2) 100 percent of children and youth are free of substantiated reports of child-to-child injuries; 3) 100 percent correction of safety and physical plant deficiencies in the time specified by the County; and 4) At least 60 percent of the placed children and youth successfully attend and complete a Team Decision Making (TDM) scheduled by the CSW prior to replacement.

It is important that DCFS continue to maintain reliable and safe temporary placements for children taken into protective custody after regular office hours, on weekends and holidays. Without approval of the recommended actions, suitable placements would not be readily available in emergency situations; and the safety and well-being of those children would be greatly jeopardized.

#### Implementation of Strategic Plan Goals

The recommended actions are consistent with the principles of the Countywide Strategic Plan Goal No. 5 - Children and Families' Well-Being, Strategy 3, Safety and Survival: to enhance the ability of children to live in safe, stable, and nurturing families. The recommended actions will ensure a safe haven for children in need of protection from abuse, neglect and distress, as measured by the achievements in four of the six outcome areas adopted by the Board: 1) good health; 2) economic well-being; 3) safety and survival; and 4) social and emotional well-being.

#### FISCAL IMPACT/FINANCING

The total one-year cost of the nine (9) contracts is \$64,800, which will be financed by Title IV-B funding using 75 percent (\$48,600) Federal revenue, 17.5 percent (\$11,340) State revenue, and 7.5 percent (\$4,860) NCC. The total three-year cost of the nine (9) contracts is \$194,400, which will be financed using 75 percent (\$145,800) Federal revenue, 17.5 percent (\$34,020) State revenue, and 7.5 percent (\$14,580) NCC. To the extent costs exceed DCFS Title IV-B allocation, the cost will be shifted to Title IV-E Waiver funding financed using 36.3 percent Federal revenue, 32.5 percent State revenue, and 31.2 percent NCC. Sufficient funding is included in the Department's FY 2008-09 Adopted Budget.

#### FACTS AND PROVISIONS/LEGAL REQUIREMENTS

DCFS contracts only with qualified contractors who are licensed by the California Department of Social Services (CDSS) Community Care Licensing Division (CCLD) and have at least six-months of active experience as a licensed foster parent in Los Angeles County to provide ESC Services.

The contract requires the contractors to have contracted beds continuously available 24 hours, seven (7) days a week, at pre-established monthly bed availability rates as follows: \$300 per bed for children ages 0 to 12; \$400 per bed for youth ages 12 to 17; \$1,600 for sibling groups ages 0 to 17 (a minimum of four beds is required at \$400 per bed); and \$600 for one (1) bed and one (1) crib for teen mothers with their infants. When a child or youth is placed in the contractor's available bed, the contractor will receive additional compensation at the "B," "D" or "F" rates established under Aid to Families with Dependent Children-Foster Care (AFDC-FC), based on child's/youth's category, pro rata for the days the minor remains in the contractor's home. Upon placement, the contractor will offer full supportive services,

including, but not limited to, supervision, clothing, food, emergency medical treatment, and transportation to medical and dental appointments.

In order to quickly respond to changes in the level of service and/or changes in the availability of services, DCFS is requesting: 1) delegated authority to increase or decrease the Maximum Contract Sum by ten (10) percent to accommodate increases or decreases in service based on the bed availability rate structure in the Request for Statement of Qualifications (RFSQ) and proposed contracts; and 2) delegated authority to terminate contracts for convenience provided. Under the DCFS Director's delegated authority, DCFS will execute new contracts to accommodate any increases that exceed ten (10) percent. The RFSQ remains open through January 31, 2011 so that future unmet needs can be fulfilled via contracts executed under the DCFS Director's delegated authority.

The contract complies with all applicable Federal, State, and local laws and regulations in delivering the ESC Services. It also expressly provides that the County is not obligated to pay contractors an amount in excess of their Maximum Annual Contract Sum. Additionally, the County shall not ask the contractors to perform services beyond the contract amount, scope of work or contract term.

The contract contains a provision that allows the contractors to request termination for convenience, with 30 days advance written notice, if the contractor is no longer able or willing to continue providing services. DCFS believes that this termination for convenience would be appropriate as it would be in the County's best interests not to compel a contractor to perform services when the contractor is no longer willing or able to continue.

After consulting with CEO Risk Management, DCFS determined that it was necessary for the contract to deviate from the standard Insurance Coverage requirements. Contractors are only required to maintain homeowner's or renter's liability insurance with a minimum \$300,000 personal liability coverage and automobile liability insurance coverage at not less than what is required by State law. DCFS will maintain regular contact with the nine (9) contractors and also conduct comprehensive foster family home-visit evaluations every six (6) months. The home-visit evaluations allow DCFS to monitor the contractor's compliance with the contract and applicable regulations, including the well-being of placed children and the condition of the foster home.

The contract excludes the Mandatory Requirement to Register on County's WebVen (licensed foster parents are not required to register due to confidentiality restrictions imposed by State Welfare and Institutions Code (WIC) Section 308).

The nine (9) contractors listed on Attachment 2 have been found to be responsive and responsible, and in compliance with all requirements.

The contract is in compliance with all Board and CEO requirements. County Counsel and the CEO have reviewed this Board Letter. The contract in Attachment I has been approved as to form by County Counsel.

This Board letter does not comply with your Board's policy regarding timely filing due to the delayed release of the RFSQ.

### **CONTRACTING PROCESS**

DCFS obtained written approval from the California Department of Social Services (CDSS) to solicit qualified licensed foster parents using the RFSQ solicitation process, which includes a review of qualifications and compliance with appropriate policies and procedures.

On July 10, 2008, DCFS released a RFSQ for ESC Services and notified approximately 900 licensed foster parents in Los Angeles County by certified mail, return receipt requested and also notified approximately 400 additional foster parents through 13 foster parent organizations. DCFS advertised the RFSQ in local newspapers and on the County's Web Site and DCFS' website. DCFS received responses from 21 individuals, of which nine (9) are qualified at this time to be recommended for contract award by your Board.

The RFSQ contains an initial period to submit Statements of Qualification (SOQs) from July 10, 2008 through August 1, 2008. The qualified contractors on Attachment 2 met all RFSQ requirements by the August 1, 2008 deadline for the initial SOQ submission period. The RFSQ also contains a subsequent period to submit SOQs from August 2, 2008 through January 31, 2011, so that DCFS can obtain additional qualified contractors to meet future unmet ESC Services needs. With the delegated authority requested, the Director of DCFS, or her designee, may execute contracts with such additional qualified contractors as needed throughout the term of the contracts.

The Department has evaluated these services and determined that the Living Wage Program (County Code Chapter 2.201) does not apply to the recommended contract.

The Department has determined that a Cost-of-Living Adjustment (COLA) provision was not required for the recommended contract.

### **IMPACT ON CURRENT SERVICES**

Current ESC Services contracts have allowed ERCP and case management staff to access temporary placement options for children taken into protective custody after normal business hours, on weekends and holidays. Approval of the recommended actions would ensure continued availability of beds needed for emergency placements.

**CONCLUSION**

Upon approval by the Board of Supervisors, it is requested that the Executive Officer/Clerk of the Board send an adopted copy of the Board Letter and contract to:

- 1) Department of Children and Family Services  
Attention: Walter Chan, Contracts Manager  
425 Shatto Place, Room #400  
Los Angeles, California 90020
- 2) Office of County Counsel  
Attention: Kathy Bramwell, Principal County Counsel  
648 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, California 90012

Respectfully submitted,



PATRICIA S. PLOEHN, LCSW  
Director

PSP:WC  
RR:jw

Attachments (2)

- c: Chief Executive Office  
County Counsel  
Executive Officer, Board of Supervisors