



County of Los Angeles
DEPARTMENT OF CHILDREN AND FAMILY SERVICES

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

BOBBY D. CAGLE
Director

BRANDON T. NICHOLS
Chief Deputy Director

June 06, 2018

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:

**REQUEST TO APPROVE THE EXTENSION OF
THE TRANSITIONAL HOUSING PLACEMENT-PLUS-FOSTER CARE CONTRACTS
(ALL SUPERVISORIAL DISTRICTS) (3 VOTES)**

SUBJECT

The Department of Children and Family Services (DCFS) and the Probation Department (Probation) request approval of the extension of 27 current Transitional Housing Placement-Plus-Foster Care (THP+FC) contracts by one year, effective July 1, 2018, through June 30, 2019, at a total cost of \$21,140,320, to allow sufficient time to complete a Request for Statement of Qualifications (RFSQ) solicitation for new contracts.

IT IS RECOMMENDED THAT THE BOARD:

1. Delegate authority to the Director of DCFS, or designee, and the Chief Probation Officer (CPO), or designee, to execute an amendment, in substantially similar form to Attachment A, for each of the 27 current THP+FC contracts, to extend the contracts by one year, effective July 1, 2018, through June 30, 2019, at a total cost of \$21,140,320, financed using 21 percent Federal Title IV-E revenue, 32 percent State Realignment funds, and 47 percent net County cost.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The current THP+FC contracts, which expire on June 30, 2018, were executed by the Director of DCFS and the CPO, using Board delegated authority, as adopted by the Board on December 9, 2014. There are no more available renewal options. DCFS is currently conducting an RFSQ solicitation for new contracts. The recommended action will prevent any lapse in services while the solicitation is being completed.

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

16 June 6, 2018

CELIA ZAVALA
ACTING EXECUTIVE OFFICER

Board of Supervisors
HILDA L. SOLIS
First District
MARK RIDLEY-THOMAS
Second District
SHEILA KUEHL
Third District
JANICE HAHN
Fourth District
KATHRYN BARGER
Fifth District

The recommended action will also enable the County to continue providing services designed to assist Non-Minor Dependents (NMDs), age 18 to 21, as they move from dependency to self-sufficiency by providing housing and supportive services. County does not have the capacity to provide these services. County must, therefore, rely on available community resources for transitional housing to ensure the safety and quality of care required by these youth. Without the approval of the recommended actions, many County youth will not make a successful transition to adulthood.

Implementation of Strategic Plan Goals

The recommended action is consistent with the principles of Strategic Plan Goal I – Make Investments that Transform Lives; Strategy I.2 – Enhance our Delivery of Comprehensive Interventions; I.2.1 – Provide Subsidized Housing for Vulnerable Populations, I.2.4 – Support Job Readiness and Increase Employment Opportunities for Youth Served by the County, and I.2.9 – Support the Long Term Success of Transition Aged Youth.

FISCAL IMPACT/FINANCING

The total cost of the one-year extension of the THP+FC contracts is \$21,140,320, financed using 21 percent Federal Title IV-E revenue, 32 percent State Realignment funds, and 47 percent net County cost. The total cost of the THP+FC contracts is included in the DCFS Fiscal Year 2018-19 Budget Request.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

Transitional Housing Placement Program (THPP) is a countywide transitional housing placement for foster youth ages 16 to 17. The program was authorized by Assembly Bill (AB) 1198. The program provides a safe living arrangement and supportive services so that foster youth can practice the skills needed to live independently upon exiting foster care. THPP furthers the goals of the Federal Independent Living Program (ILP), serving as a bridge to ensure youth are properly trained and receive a high school diploma or its equivalent.

On September 30, 2010, AB 12, California's Fostering Connections to Success Act, was signed into law. AB 12 allows California to extend foster care up to age 21 for young adults who meet the federal participation criteria for continued eligibility after age 18, including those served under a State-Tribal IV-E agreement and supervised by Probation. Those youth who remain in extended foster care are referred to as NMDs. AB 12 adds two new placement options for NMDs: 1) Transitional Housing Placement-Plus-Foster Care (THP+FC) and 2) Supervised Independent Living Placement (SILP).

On June 25, 2012, Senate Bill (SB) 1013 was approved, revising the licensing or certification standards for THP+FC program from a certified County approved placement option to a placement option offered by a State-licensed transitional housing provider. On September 11, 2012, the California Department of Social Services (CDSS) issued significantly different implementation instructions for the THP+FC program in support of SB 1013.

Effective January 1, 2018, as a stipulation of SB 612, the THP+FC was renamed Transitional Housing Placement Program for Non-Minor Dependents (THPP-NMD). It also revised the degree requirements for social work (case managers) staff, expanded room-sharing options for NMDs, allowed NMDs to co-lease units, and allowed host family homes certified by Foster Family Agencies

(FFA) to be used in THPP-NMD if the provider is licensed for both programs, FFA and THPP-NMD. The current THP+FC contracts will be amended to implement the requirements of SB 612.

The Living Wage Program (County Code Chapter 2.201) does not apply to these contracts. These services cannot be effectively performed by County employees because they require the development and utilization of resources that are not available in the County system.

On January 26, 2018, DCFS requested approval from CDSS to extend the THP+FC contracts for a year until the RFSQ can be completed. CDSS approved this request on February 14, 2018.

County Counsel has reviewed the amendment and Board letter and has approved it as to form.

CONTRACTING PROCESS

DCFS released an RFSQ on October 17, 2013. As a result of this solicitation, 22 THP+FC contracts were executed using Board-delegated authority, as adopted by the Board on November 3, 2014. The RFSQ provided for two subsequent submission periods for statements of qualifications, which resulted in five additional THP+FC contracts. All renewal options for the THP+FC contracts have been exercised.

On September 22, 2016, CDSS approved DCFS' request to utilize an RFSQ solicitation process for THPP-NMD (formerly THP+FC) services. DCFS released an RFSQ on April 24, 2018. The RFSQ invited qualified agencies to submit proposals to provide THPP-NMD services in each of the eight DCFS Service Planning Areas (SPAs) across the County. DCFS is currently evaluating the statements of qualifications submitted in response to the RFSQ. It is the intention of DCFS to award a contract to responsive and responsible proposers, which have met the minimum mandatory qualifications. As stated in the RFSQ, the contract does not guarantee a minimum number of referrals per contract year.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

The extension of the 27 THP+FC contracts will ensure uninterrupted THP+FC services to eligible foster and emancipated foster/Probation youth and will help maintain the County's ability to provide a safe protective environment to children and youth while assisting youth to achieve self-sufficiency.

The contracts will not infringe upon the role of the County in relationship to its residents, and the County's ability to respond to emergencies will not be impaired. There is no change in risk exposure to the County.

CONCLUSION

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

1. Department of Children and Family Services,
Contracts Administration Division
Attn: Leticia Torres-Ibarra, Contracts Division Manager
425 Shatto Place, Room 400
Los Angeles, California 90020

2. Probation Department
Contracts & Grants Management Division
Attn: Latasha Howard
9150 E. Imperial Highway
Downey, California 90242

Respectfully submitted,



BOBBY D. CAGLE
Director



TERRI L. McDONALD
Chief Probation Officer

BDC:BTNCMM:KR

Enclosures

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



AMENDMENT NUMBER ONE

**TRANSITIONAL HOUSING PLACEMENT-PLUS-FOSTER CARE
(THP+FC)**

SPA _____

CONTRACT NUMBER _____

WITH

**AMENDMENT NUMBER ONE
TRANSITIONAL HOUSING PLACEMENT-PLUS-FOSTER CARE (THP+FC)
CONTRACT NUMBER _____**

This Amendment Number One (hereinafter referred to as "Amendment") to the Transitional Housing Placement-Plus-Foster Care (THP+FC) Contract Number _____ (hereinafter referred to as "Contract") is made and entered into at Los Angeles, California this _____ day of _____, 2018, by and between the County of Los Angeles (hereinafter referred to as "COUNTY") and _____ (hereinafter referred to as "CONTRACTOR").

WHEREAS, COUNTY and CONTRACTOR are parties to this Contract, and CONTRACTOR has been providing THP+FC Services to the COUNTY; and

WHEREAS, a purpose of this Amendment is to extend the Contract by one year and to add new provisions to the Contract required by COUNTY, and

WHEREAS, this amendment is prepared and executed by COUNTY and CONTRACTOR as set forth in the Contract, Part II: STANDARD TERMS AND CONDITIONS, SECTION 7.0, CHANGES AND AMENDMENTS;

NOW THEREFORE, COUNTY and CONTRACTOR mutually agree to the following changes to the Contract:

1. Table of Contents, Part II: Standard Terms and Conditions is amended to add:

61.0 COMPLIANCE WITH COUNTY'S ZERO TOLERANCE POLICY ON HUMAN
TRAFFICKING
62.0 DATA ENCRYPTION

2. Table of Contents, Exhibit B: Attachments is amended to add:

Attachment S Zero Tolerance Policy on Human Trafficking Certification
Attachment T Contractor's Compliance with Encryption Requirements

3. Part I: Unique Terms and Conditions, Section 4.0, Term is amended to add Subsection 4.6, which reads as follows:

4.6 The term of this contract is extended effective July 1, 2018, through June 30, 2019.

4. Part II: Standard Terms and Conditions, Section 17.0, Consideration of Hiring GAIN/GROW Program Participants, Subsection 17.1 is amended to read as follows:

17.1 Should the CONTRACTOR require additional or replacement personnel after the effective date of this Contract, the CONTRACTOR shall give consideration for any such employment openings to participants

in the COUNTY's Department of Public Social Services Greater Avenues for Independence (GAIN) Program or General Relief Opportunities for Work (GROW) Program who meet the CONTRACTOR's minimum qualifications for the open position. For this purpose, consideration shall mean that the CONTRACTOR will interview qualified candidates. The COUNTY will refer GAIN/GROW participants by job category to the CONTRACTOR. CONTRACTORS shall report all job openings with job requirements to: GAINGROW@DPSS.LACOUNTY.GOV and BSERVICES@WDACS.LACOUNTY.GOV and DPSS will refer qualified GAIN/GROW job candidates.

5. Part II: Standard Terms and Conditions, Section 61.0, Compliance With County's Zero Tolerance Policy On Human Trafficking is added and reads as follows:

61.0 COMPLIANCE WITH COUNTY'S ZERO TOLERANCE POLICY ON HUMAN TRAFFICKING

- 61.1 CONTRACTOR acknowledges (Attachment S) that the County has established a Zero Tolerance Policy on Human Trafficking prohibiting CONTRACTORS from engaging in human trafficking.
- 61.2 If a CONTRACTOR or member of CONTRACTOR's staff is convicted of a human trafficking offense, the County shall require that the CONTRACTOR or member of CONTRACTOR's staff be removed immediately from performing services under the Contract. County will not be under any obligation to disclose confidential information regarding the offenses other than those required by law.
- 61.3 Disqualification of any member of CONTRACTOR's staff pursuant to this paragraph shall not relieve CONTRACTOR of its obligation to complete all work in accordance with the terms and conditions of this Contract.

6. Part II: Standard Terms and Conditions, Section 62.0, Data Encryption is added and reads as follows:

62.0 DATA ENCRYPTION

CONTRACTOR and subcontractors that electronically transmit or store personal information (PI), protected health information (PHI) and/or medical information (MI) shall comply with the encryption standards set forth below. PI is defined in California Civil Code Section 1798.29(g). PHI is defined in Health Insurance Portability and Accountability Act of 1996 (HIPAA), and implementing regulations. MI is defined in California Civil Code Section 56.05(j).

62.1 Stored Data

CONTRACTORS' and Subcontractors' workstations and portable devices (e.g., mobile, wearables, tablets, thumb drives, external hard drives) require encryption (i.e. software and/or hardware) in accordance with: (a) Federal Information Processing Standard Publication (FIPS) 140-2; (b) National Institute of Standards and Technology (NIST) Special Publication 800-57 Recommendation for Key Management – Part 1: General (Revision 3); (c) NIST Special Publication 800-57 Recommendation for Key Management – Part 2: Best Practices for Key Management Organization; and (d) NIST Special Publication 800-111 Guide to Storage Encryption Technologies for End User Devices. Advanced Encryption Standard (AES) with cipher strength of 256-bit is minimally required.

62.2 Transmitted Data

All transmitted (e.g. network) County PI, PHI and/or MI require encryption in accordance with: (a) NIST Special Publication 800-52 Guidelines for the Selection and Use of Transport Layer Security Implementations; and (b) NIST Special Publication 800-57 Recommendation for Key Management – Part 3: Application-Specific Key Management Guidance. Secure Sockets Layer (SSL) is minimally required with minimum cipher strength of 128-bit.

62.3 Certification

The County must receive within ten (10) business days of its request, a certification from CONTRACTOR (Attachment T) (for itself and any subcontractors) that certifies and validates compliance with the encryption standards set forth above. In addition, CONTRACTOR shall maintain a copy of any validation/attestation reports that its data encryption product(s) generate and such reports shall be subject to audit in accordance with the Contract. Failure on the part of the CONTRACTOR to comply with any of the provisions of this Section 62.0 (Data Encryption) shall constitute a material breach of this Contract upon which the County may terminate or suspend this Contract.

7. Exhibit D: Line Item Budget is replaced with the Line Item Budget and Narrative in Attachment I for the new contract term in Subsection 4.6.
8. Zero Tolerance Policy on Human Trafficking Certification is attached, and added to Exhibit B: Attachments as Attachment S.

9. Contractor's Compliance with Encryption Requirements is attached, and added to Exhibit B: Attachments as Attachment T.

ALL OTHER TERMS AND CONDITIONS OF THE CONTRACT REMAIN IN FULL FORCE AND EFFECT.

**AMENDMENT NUMBER ONE
TRANSITIONAL HOUSING PLACEMENT-PLUS-FOSTER CARE (THP+FC)
CONTRACT NUMBER _____**

IN WITNESS WHEREOF, the Board of Supervisors of the COUNTY of Los Angeles has caused this Amendment Number One to be subscribed on its behalf by the Director of the Department of Children and Family Services and the Chief Probation Officer of the Probation Department and the CONTRACTOR has caused this Amendment Number One to be subscribed on its behalf by its duly authorized officer(s) as of the day, month and year first above written. The person(s) signing on behalf of the CONTRACTOR warrant(s) under penalty of perjury that he or she is authorized to bind the CONTRACTOR in or to this Contract.

COUNTY OF LOS ANGELES

CONTRACTOR

By: _____
Bobby D. Cagle, Director
Department of Children and Family
Services

By: _____

Name: _____

Title: _____

By: _____
Terri L. McDonald
Chief Probation Officer
Probation Department

By: _____

Name: _____

Title: _____

Tax Identification Number

APPROVED AS TO FORM
BY THE OFFICE OF THE COUNTY COUNSEL
Mary C. Wickham, County Counsel

By: _____
David Beaudet, Senior Deputy County Counsel

**PLACEHOLDER FOR AGENCY'S
NEW LINE ITEM BUDGET AND NARRATIVE**

**ZERO TOLERANCE POLICY ON HUMAN TRAFFICKING
CERTIFICATION**

Company Name:		
Company Address:		
City: Los Angeles	State: CA	Zip Code:
Telephone Number:	Email address:	
Solicitation/Contract for Transitional Housing Placement Program Services		

CONTRACTOR CERTIFICATION

Los Angeles County has taken significant steps to protect victims of human trafficking by establishing a zero tolerance policy on human trafficking that prohibits contractors found to have engaged in human trafficking from receiving contract awards or performing services under a County contract.

Contractor acknowledges and certifies compliance with Section 61.0 (Compliance with County's Zero Tolerance Policy on Human Trafficking) of the proposed Contract and agrees that contractor or a member of his staff performing work under the proposed Contract will be in compliance. Contractor further acknowledges that noncompliance with the County's Zero Tolerance Policy on Human Trafficking may result in cancellation of any resultant Contract, at the sole judgment of the County.

I declare under penalty of perjury under the laws of the State of California that the information herein is true and correct and that I am authorized to represent this company.

Print Name:	Title:
Signature:	Date:

CONTRACTOR'S COMPLIANCE WITH ENCRYPTION REQUIREMENTS

Contractor shall provide information about its encryption practices by completing this Attachment. By submitting this Attachment, Contractor certifies that it will be in compliance with Los Angeles County Board of Supervisors Policy No. 5.200, Contractor Protection of Electronic County Information, at the commencement of any contract and during the term of any contract that may be awarded pursuant to this solicitation.

COMPLIANCE QUESTIONS	DOCUMENTATION AVAILABLE			
	YES	NO	YES	NO
1) Will County data stored on your workstation(s) be encrypted?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2) Will County data stored on your laptop(s) be encrypted:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3) Will County data stored on removable media be encrypted?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4) Will County data be encrypted when transmitted?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5) Will Contractor maintain a copy of any validation/attestation Reports generated by its encryption tools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6) Will County data be stored on remote servers*? * cloud storage, Software-as-a-Service or SaaS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Contractor's Name

Contractor's Official Title

Official's Signature