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**COUNTY OF LOS ANGELES
WORKFORCE DEVELOPMENT, AGING
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"Connecting communities and improving the lives of all generations"



wdacs.lacounty.gov

Otto Solórzano
Acting Director

June 11, 2019

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:

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

26 June 11, 2019

CELIA ZAVALA
EXECUTIVE OFFICER

AUTHORIZE WORKFORCE DEVELOPMENT, AGING AND COMMUNITY SERVICES TO AWARD AND EXECUTE FY 2019-20 DISPUTE RESOLUTION PROGRAM (DRP) SUBAWARDS AND ONE SOLE SOURCE SUBAWARD (ALL SUPERVISORIAL DISTRICTS) (3 VOTES)

SUBJECT

The County of Los Angeles' (County) Workforce Development, Aging and Community Services (WDACS) seeks approval and delegated authority to award and execute competitive Subawards for the Dispute Resolution Program (DRP) with seven (7) non-profit organizations and one (1) governmental entity and to award and execute a noncompetitive (sole source) Subaward with one (1) governmental entity for the DRP Restorative Justice Program Category. DRP provides conciliation and mediation services to individuals, businesses, and organizations involved in a wide-range of disputes such as consumer-merchant, personal injury, landlord-tenant, property damage, neighbor-neighbor, business-business, family-domestic, and workplace-related.

IT IS RECOMMENDED THAT THE BOARD:

1. Approve and authorize the Acting Director of WDACS, or designee, to award and execute Subawards for the term effective July 1, 2019 through June 30, 2020, with seven (7) current non-profit Subrecipients and one (1) current governmental Subrecipient (Office of Los Angeles City Attorney) for an anticipated combined annual amount of \$1,880,664, as outlined in Attachment A. Allocations to the Subrecipients are subject to the availability of funding and are contingent upon each Subrecipient's performance. WDACS will obtain County Counsel approval as to the form of the Subawards prior to their execution.
2. Approve and authorize the Acting Director of WDACS, or designee, to award and execute a sole source Subaward for DRP services in the Restorative Justice Program Category for the term

commencing on July 1, 2019 through June 30, 2020, with the Office of the Los Angeles City Attorney (City Attorney) for an amount of \$57,810. Allocations to the Subrecipient are subject to the availability of funding and are contingent upon the Subrecipient's performance. WDACS will obtain County Counsel approval as to the form of the Subaward prior to its execution.

3. Approve and authorize the Acting Director of WDACS, or designee, to execute future amendments to extend the Subaward(s) for a maximum of four (4) one-year optional renewals and to extend after the final year for up to six (6) months on a month-to-month basis at the discretion of WDACS in accordance with the term of the Subaward.

4. Approve and authorize the Acting Director of WDACS, or designee, to execute amendments with these Subrecipients, which serve the best interests of the County of Los Angeles (County), during the Subaward term as follows: 1) add new, relevant, or updated state, and/or County Subaward terms and conditions; and, 2) increase or decrease the Subaward amounts (including but not limited to baseline funds, one-time-only funds, and/or supplemental monies), which may exceed ten percent (10%) of the Maximum Subaward Sum, in response to the availability of funding and/or based on Subrecipient's performance, provided that: (a) the total allocation does not exceed available funding; and, (b) WDACS obtains County Counsel approval as to the form of the amendment prior to any such amendment.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

DRP provides three categories of services to help parties address their disputes including: 1) Community; 2) Day of Hearing Civil Court; and 3) Restorative Justice. Community disputes are those for which no court action has been initiated and for which resolution services are not required on the day of hearing. Day of Hearing Civil Court disputes are those for which civil court action has been initiated and resolution services are provided on the scheduled day of court hearing. Restorative Justice disputes involve matters between victims and offenders of criminal actions that may or may not have been filed for prosecution, but in which the offender has acknowledged committing the harm-causing action. DRP serves not only adults, but also youth through school mediations, parent-child and Restorative Justice mediations.

In FY 2017-18, DRP served more than 18,000 County residents, of which about 71 percent successfully resolved their disputes. The Program is essential in providing dispute resolution services that are less costly, less time consuming, and less complex than the traditional court system. It offers County residents an alternative process that is less formal, less intimidating, and more accessible. The disputants are the primary decision makers in the outcome of their disputes, which may avert escalation to a formal action and/or an intervention by law enforcement. In addition, the mediations are provided by trained volunteers, which provides a meaningful civic engagement opportunity for County residents. The recommended actions will enable the County to execute Subawards to continue delivering these valuable services, while providing flexibility to execute Subaward amendments with Subrecipients that are in the County's best interest.

WDACS recommends a sole source Subaward with a current service provider (Los Angeles Office of the City Attorney) to provide Restorative Justice mediation services for adults in Supervisorial Districts (SD) 1 through 4, to address a gap in services resulting from the competitive procurement. The successful proposer and second ranked proposer only provide Restorative Justice mediation services for youth. The City Attorney was the third ranked proposer and has a proven track record in providing Restorative Justice mediation services to adult offenders and is the only agency proposing to serve adult offenders. Given the need to provide this important DRP service, it is recommended

that the County award and execute a Sole Source Subaward with the City Attorney to provide Restorative Justice mediation services for adults in SD 1 through 4.

In addition, to contracting with eight (8) agencies to provide DRP services, WDACS will enter into a Memorandum of Understanding (MOU) with the Department of Consumer and Business Affairs (DCBA) for \$329,159 annually, to provide Day of Hearing Civil Court DRP Services at the Stanley Mosk Courthouse and to provide Community DRP Services in Service Planning Areas (SPA) 2, 3, 4, 6, 8. DCBA is an existing DRP Service Provider and we are executing the MOU pursuant to Dispute Resolution Program Act Article 6. Funding, Section 470.2, which allows the County's share of the funding to be up to 50 percent (50%) of the approved estimated cost of the Program.

Implementation of Strategic Plan Goals

The recommended actions support the Countywide Strategic Plan Strategies: Strategy II.2 (Support the Wellness of Our Communities); Strategy III.3 (Pursue Operational Effectiveness, Fiscal Responsibility, and Accountability).

FISCAL IMPACT/FINANCING

The DRP program is funded through civil court filing fees pursuant to the California Dispute Resolution Program Act of 1986 that are collected in the DRP Special Fund established by the County. The estimated annual cost for the DRP Subawards proposed in this Board Letter is \$1,880,664 and the estimated cost for FY 2019-24, including all month-to-month extensions through December 31, 2024, is \$10,343,652. In addition, we will execute an MOU with DCBA for \$329,159 annually to provide DRP Services and we will hold \$19,336 yearly in abeyance for special projects, including pilots to increase outreach efforts.

There is no impact on the County General Fund, as the DRP program is fully financed by the DRP Special Fund. Funding for this Program has been included in the Department's FY 2019-20 Proposed Budget and will be included in future annual budgets for the Department.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The Dispute Resolution Program Act Article 6. Funding, Section 470.2 allows the County's share of the funding to be up to 50 percent (50%) of the approved estimated cost of the Program. This authority allows WDACS to execute the MOU with DCBA for DRP Services and to hold program funds in abeyance for special projects.

In accordance with Board Policy 5.100 (Sole Source Contracts), WDACS notified your Board on May 16, 2019, regarding our intent to enter into a sole source Subaward with the City Attorney. This Subrecipient is a current provider and is in compliance with all Board and County requirements, and there are no fiscal or performance issues noted under their existing Subawards. The sole source Subaward will include standard County terms and conditions in addition to state terms and conditions that are required for WDACS to administer/operate these Programs. WDACS will obtain County Counsel approval as to the form of the Subaward prior to execution and/or amendment.

CONTRACTING PROCESS

On February 5, 2019, WDACS released a Request for Proposals (RFP) to solicit proposals from qualified non-profit organizations and government entities to provide dispute resolution services to

Los Angeles County residents due to the current DRP Subawards expiring on June 30, 2019. WDACS sent approximately 2,000 GovDelivery notifications regarding the release of this RFP to vendors that have signed up to receive news and information pertaining to contracting opportunities with WDACS. The RFP was advertised in greater Los Angeles County newspapers such as the Los Angeles Times, Antelope Valley Press, San Gabriel Valley Tribune, the Daily News, Torrance Daily Breeze, LA Opinion, the Press Telegram, and the L.A. Watts Times. The RFP and all related documents were also posted and available on the WDACS and Internal Services Department websites.

As a result of the RFP, seven (7) non-profit organizations and one (1) government entity submitted proposals for the Community, Day of Hearing Civil Court, and Restorative Justice Service categories. All proposers met the threshold evaluation score of 7,000 points; therefore, all proposers are recommended for funding. There would have been a gap in services for the Restorative Justice Service Category for adult offenders in SD 1 through 4. Accordingly, WDACS recommends a sole source Subaward with the City Attorney to ensure continued provision of DRP Adult Restorative Justice Services throughout the County.

The eight (8) agencies recommended for funding met all the RFP requirements and have agreed to cover all service areas outlined in Attachment A. These agencies are in compliance with all Board and CEO requirements. Monitoring will be conducted on an annual basis and will include administrative and programmatic monitoring to ensure subaward compliance. Program monitoring is accomplished through the WDACS Contract Compliance Division. Fiscal compliance monitoring will be conducted annually by an approved vendor procured through the County of Los Angeles Auditor-Controller.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

Approval of the recommended actions will allow for the continued provision of DRP Services Countywide. These Services provide vital conflict resolution services to County residents. As such, it is in the County's best interest to execute the Subawards.

CONCLUSION

Upon your approval of the recommended actions, the WDACS Acting Director, or designee, will proceed to execute the Subawards, and any future amendments as noted herein. Should you have any questions, please contact me directly, or your staff may contact Mr. Kevin Anderson, Special Assistant, at (213) 738-2593.

The Honorable Board of Supervisors

6/11/2019

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Respectfully submitted,

A handwritten signature in blue ink that reads "Otto Solórzano". The signature is fluid and cursive, with a long horizontal stroke at the end.

OTTO SOLÓRZANO

Acting Director

OS:PG:CD:HK:RT

Enclosures

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

DISPUTE RESOLUTION PROGRAM (DRP) FUNDING ALLOCATIONS FY 2019-24

Recommended Agencies	Provider Location by Supervisorial District	Areas Served By Program			FY 2019-20	Optional Year One (1) for FY 2020-21***	Optional Year Two (2) for FY 2021-22***	Optional Year Three (3) for FY 2022-23***	Optional Year Four (4) for FY 2023-24***	Optional Six (6) Month-to-Month Extensions ***	Total
		Restorative Justice Services Served by Supervisorial District	Community Services Served by Service Planning Area	Day of Hearing-Civil Court Served by Hub* Location							
1 Asian Pacific American Dispute Resolution Center	1		3, 4, 8		\$124,368	\$124,368	\$124,368	\$124,368	\$124,368	\$62,184	\$684,024
2 Office of the Los Angeles City Attorney	1	1, 2, 3, 4, 5	2, 4, 5, 6, 7, 8		\$287,463	\$287,463	\$287,463	\$287,463	\$287,463	\$143,732	\$1,581,047
3 Loyola Law School Center for Conflict Resolution	1		1, 2, 3, 4, 5, 6, 7, 8		\$397,004	\$397,004	\$397,004	\$397,004	\$397,004	\$198,502	\$2,183,522
4 Centinela Youth Services	2	1, 2, 3	2, 6, 8		\$341,951	\$341,951	\$341,951	\$341,951	\$341,951	\$170,976	\$1,880,731
5 Korean American Coalition	2		1, 2, 3, 4, 5, 6, 7, 8		\$28,024	\$28,024	\$28,024	\$28,024	\$28,024	\$14,012	\$154,132
6 California Lawyers for the Arts	3		4, 5		\$31,379	\$31,379	\$31,379	\$31,379	\$31,379	\$15,690	\$172,585
7 Center for Conflict Resolution	3			All Court Hubs**	\$480,000	\$480,000	\$480,000	\$480,000	\$480,000	\$240,000	\$2,640,000
8 The California Conference for Equity and Justice	4	4	4, 5, 6, 7, 8		\$190,475	\$190,475	\$190,475	\$190,475	\$190,475	\$95,238	\$1,047,613
GRAND TOTAL					\$1,880,664	\$1,880,664	\$1,880,664	\$1,880,664	\$1,880,664	\$940,332	\$10,343,652

* Hub: A central courthouse location that houses and serves variety of different case types.

** Court Hubs: Bellflower, Chatsworth, Compton, Inglewood, Lancaster, Long Beach, Norwalk, Pasadena, Pomona, Santa Monica, Van Nuys, West Covina

*** Funding amounts for FY 2020-24 are estimates and are subject to the availability of funding and Contractor's Performance.

SOLE SOURCE CHECKLIST

Department Name: Workforce Development, Aging and Community Services

- New Sole Source Contract
- Sole Source Amendment to Existing Contract
 Date Existing Contract First Approved: _____

Check (✓)	JUSTIFICATION FOR SOLE SOURCE CONTRACTS Identify applicable justification and provide documentation for each checked item.
	➤ Only one bona fide source (monopoly) for the service exists; performance and price competition are not available. A monopoly is an <i>“Exclusive control of the supply of any service in a given market. If more than one source in a given market exists, a monopoly does not exist.”</i>
	➤ Compliance with applicable statutory and/or regulatory provisions.
	➤ Compliance with State and/or federal programmatic requirements.
	➤ Services provided by other public or County-related entities.
✓	➤ Services are needed to address an emergent or related time-sensitive need.
	➤ The service provider(s) is required under the provisions of a grant or regulatory requirement.
✓	➤ Additional services are needed to complete an ongoing task and it would be prohibitively costly in time and money to seek a new service provider.
	➤ Services are needed during the time period required to complete a solicitation for replacement services; provided services are needed for no more than 12 months from the expiration of an existing contract which has no available option periods.
	➤ Maintenance and support services are needed for an existing solution/system during the time to complete a solicitation for a new replacement solution/ system; provided the services are needed for no more than 24 months from the expiration of an existing maintenance and support contract which has no available option periods.
	➤ Maintenance service agreements exist on equipment which must be serviced by the original equipment manufacturer or an authorized service representative.
	➤ It is more cost-effective to obtain services by exercising an option under an existing contract.
	➤ The contractor was selected through a competitive solicitation process conducted by an outside entity (e.g. other municipalities, public agencies, State/federal government or non-profit organizations).
	➤ It is in the best economic interest of the County (e.g., significant costs to replace an existing system or infrastructure, administrative cost savings and excessive learning curve for a new service provider, etc.). In such cases, departments must demonstrate due diligence in qualifying the cost-savings or cost-avoidance associated with the best economic interest of the County.



 Chief Executive Office

5/30/19

 Date

Dispute Resolution Program Sole Source Justification

1. Services are needed to address an emergent or related time-sensitive need.

The current Dispute Resolution Program Subawards offer Restorative Justice mediations for both youth and adult offenders. Beginning July 1, 2019 these services will only be available for youth offenders in Supervisorial Districts one (1) through four (4) as the agencies that successfully proposed for these areas offer mediation targeted to the juvenile population. The Los Angeles Office of the City Attorney is the only entity proposing to serve adult offenders and has a proven track record in providing Restorative Justice mediation services for adult offenders. Given that their current Subawards are set to expire on June 30, 2019, there is a time-sensitive need to continue Restorative Justice mediations for adult offenders in these areas effective July 1, 2019.

2. Additional services are needed to complete an ongoing task and it would be prohibitively costly in time and money to seek a new service provider.

Restorative Justice mediations are a highly specialized form of dispute resolution that answers a critical need. In Restorative Justice mediation, persons acknowledging responsibility for harm-causing behavior are provided the opportunity to address those affected by their criminal activity. Trained mediators guide dialogue regarding the effects of their actions and facilitate mutually agreed upon resolution in place of incarceration. Alternatives often include community service and the avoidance of a criminal record. This makes it possible for individuals to continue their lives unimpeded by a criminal record. Due to the Office of the Los Angeles City Attorney's existing infrastructure that includes a Neighborhood Justice Program (NJP), they identify first time offenders that are in most need for these services. The Los Angeles Office of the City Attorney is the only entity proposing to serve adult offenders and has a proven track record in providing Restorative Justice mediation services for adult offenders.

Furthermore, the elimination of a second competitive solicitation specific to having adult services will contribute to cost savings as the Department will avoid County staff time involved in managing all phases of the solicitation, from solicitation development to contract award. Additionally, WDACS' existing DRP Subrecipients charge up to a maximum of \$740 per Restorative Justice Mediation. Under this sole source Subaward, the Office of the Los Angeles City Attorney has proposed to charge a lower rate of \$625 per mediation.