



**County of Los Angeles
DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

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

PATRICIA S. PLOEHN, LCSW
Director

June 9, 2009

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

Dear Supervisors:

ADOPTED
BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

25 JUNE 9, 2009

Sachi A. Hamai
SACHI A. HAMAI
EXECUTIVE OFFICER

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

**REQUEST TO APPROVE AMENDMENT NUMBER ONE TO EXTEND THE CONTRACT
WITH DAILY JOURNAL CORPORATION FOR NEWSPAPER PUBLICATION SERVICES
(ALL SUPERVISORIAL DISTRICTS) (3 VOTES)**

SUBJECT

Approve Amendment Number One to extend term of the current contract with the Daily Journal Corporation for Newspaper Publication Services for up to six (6) months, effective July 1, 2009 and continuing through December 31, 2009, at a total cost of \$30,000.

IT IS RECOMMENDED THAT YOUR BOARD:

1. Approve Amendment One (Attachment A) to Contract, Number 75425, with Daily Journal Corporation for Newspaper Publication Services (Contract) to extend the term of the Contract for up to (6) months, on an automatic, month-to-month basis effective July 1, 2009 through December 31, 2009, unless terminated earlier as provided. The cost of Amendment Number One for the full six-month period is \$30,000, and will be financed using 36 percent (\$10,800) Federal funds, 33 percent (\$9,900) State funds, and 31 percent (\$9,300) net County cost (NCC). Sufficient funding is included in the Department's Fiscal Year (FY) 2009-10 Proposed Budget.
2. Delegate authority to the Director of DCFS, or her designee, to execute Amendment Number One, substantially similar to Attachment A, for a July 1, 2009 effective date, provided that: 1) written approval is obtained from the California Department of Social Services (CDSS) to extend the term of the Contract for up to six (6) months; and 2) the Director of DCFS notifies your Board and the Chief Executive Office (CEO) in writing within ten (10) working days of execution of Amendment Number One.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTIONS

The Contract expires on June 30, 2009. The recommended actions will enable the Department of Children and Family Services (DCFS) to extend the Contract for up to six (6) months while the Department completes a solicitation process for a new contract for Newspaper Publication services.

Before a juvenile court can terminate parental rights and order adoption as a permanent plan for children whose parents' identity and whereabouts are unknown, the law requires that these parents receive legal notice through various means including newspaper publication. These legal notices are required pursuant to Welfare and Institutions Code, Section 294, and are meant to attempt to notify parents of court proceedings to terminate their parental rights. Once parental rights are terminated, children are free to become adopted into safe and permanent homes. The Contractor provides DCFS regional offices a secure means to submit/transmit legal notices to the Contractor for publishing. The confidentiality of case information is maintained at all times.

The failure to publish legal notices regarding termination of parental rights court proceedings may: 1) result in substantial hardship to children, parents, guardians, and others; and 2) cause the court to cancel the court proceedings. The court may also order monetary sanctions against DCFS for failure to provide proper legal notice.

Implementation of Strategic Plan Goals

The recommended actions are consistent with the principles of the Countywide Strategic Plan Goal No. 2 – Children, Family and Adult Well Being. The recommended actions will continue the Department's efforts to improve children's well-being through adoption by providing legal notice of court proceedings prior to terminating parental rights.

FISCAL IMPACT

The total cost of the six (6) month extension is \$30,000, financed with 36 percent (\$10,800) Federal funds, 33 percent (\$9,900) State funds, and 31 percent (\$9,300) NCC. Sufficient funding is included in the Department's Fiscal Year (FY) 2009-10 Proposed Budget.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

On November 8, 2005, your Board approved the Contract for the provision of Newspaper Publication Services for one year from January 1, 2006 through December 31, 2006. Subsequently, the two (2) one-year options, and a six-month option of the Contract was implemented to extend the term of the Contract through June 30, 2009.

The current solicitation process, including pending protests, is expected to continue beyond the date to request your Board's approval of a new contract to begin July 1, 2009. The

solicitation may possibly continue beyond the expiration date (June 30, 2009) of the current Contract. CDSS approval to extend the term of the Contract is pending and is expected to be approved on or about June 20, 2009. Amendment Number One will implement the six (6) month extension on an automatic, month-to-month basis from the County to the contractor from July 1, 2009 through December 31, 2009, to allow DCFS to continue Newspaper Publication Services while it completes the solicitation process to select a new contractor to provide the Services.

The Contractor is in compliance with all Board and CEO requirements.

This Board letter and Amendment One were reviewed by the CEO and County Counsel. Amendment Number One was approved by County Counsel as to form.

CONTRACTING PROCESS

No solicitation process was required for Amendment Number One, which was developed based on procurement by negotiation, in accordance with CDSS and County contracting regulations.

In August 2008, a solicitation was conducted to secure a new contract for Newspaper Publication Services for a January 1, 2009 start date. However, the solicitation was cancelled due to the receipt of non-responsive bids, and the current Contract was extended (by written notice) for an additional six (6) months, in accordance with CDSS regulations.

In January 2009, a new solicitation was released for a July 1, 2009 start date. However, additional time is required in order to complete the solicitation process. The solicitation will continue beyond the date to request Board approval for a new contract commencing July 1, 2009, and it may possibly continue beyond the current Contract expiration date. DCFS requested CDSS' approval to extend the Contract for up to six (6) months, and a response is due on or about June 20, 2009.

IMPACT ON CURRENT SERVICES

The requested actions will allow DCFS to comply with Section 294 of the Welfare Institutions Code to publish legal notices regarding court proceedings for the termination of parental rights in preparation for adoptions court proceedings.

CONCLUSION

Upon approval, it is requested that the Executive Officer, Board of Supervisors send a copy of the adopted Board letter and attachments to:

1. Department of Children and Family Services
Contracts Administration
Attention: Walter Chan, Manager
425 Shatto Place, Room 400
Los Angeles, California 90020

2. Office of the County Counsel
Social Services Division
Attention: Diane Cachenaout, Paralegal
648 Kenneth Hahn Hall of Administration
500 West Temple Street Suite 602
Los Angeles, California 90012

Respectfully submitted,



PATRICIA S. PLOEHN, LCSW
DIRECTOR

PSP:SK:CM
WC:RR:MR

Attachment (1)

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



AMENDMENT NUMBER ONE

TO THE

NEWSPAPER PUBLICATION SERVICES CONTRACT, NUMBER 75425,

WITH

DAILY JOURNAL CORPORATION

**AMENDMENT NUMBER ONE
TO NEWSPAPER PUBLICATION SERVICES CONTRACT,
NUMBER 75425, WITH DAILY JOURNAL CORPORATION**

This Amendment Number One (hereinafter referred to as "Amendment"), to Newspaper Publication Services Contract, Number 75425, (hereinafter referred to as "Contract"), adopted by the Board of Supervisors on November 8, 2005, is made and entered into by and between County of Los Angeles, (hereinafter referred to as "COUNTY"), and Daily Journal Corporation, (hereinafter referred to as "CONTRACTOR"), this ___ day of _____ 2009.

WHEREAS, Amendment One is prepared pursuant to the provisions set forth in Part II, Standard Terms and Conditions, Section 7.0, Changes and Amendments; and

WHEREAS, the purpose of Amendment One is to correct a scrivener's error regarding the extension period in Part I, Subsection 3.3, and to extend the term of the contract; and

NOW, THEREFORE, in consideration of the foregoing and mutual consent herein contained, COUNTY and CONTRACTOR hereby agree to amend Contract as follows:

1. Delete in its entirety Subsection 3.3 of Part I, Unique Terms and Conditions, 3.0, Term and Termination, and replace it with the following revised Subsection 3.3:
 - 3.3 The term of this Contract may also be extended by written notice to the CONTRACTOR 60 days prior to the expiration of the contract term, after CEO approval, for a period not to exceed six (6) months beyond December 31, 2008 through June 30, 2009, if such additional time is necessary to complete the negotiation or solicitation of a new Contract, by the Director of DCFS or designee.
2. Add Subsection 3.5 to Part I, Unique Terms and Conditions, Section 3.0, Term and Termination, as follows:
 - 3.5 The term of this Contract shall be extended on an automatic, month-to-month basis for up to six (6) months beginning on July 1, 2009 and continuing through December 31, 2009, unless terminated earlier by COUNTY, at its sole option, or as otherwise permitted in this contract, by written notice to the CONTRACTOR 30 days in advance of the effective date of termination.
3. Delete in its entirety Subsection 4.5 of Part I, Unique Terms and Conditions, Section 4.0, Contract Sum, and replace it with the following revised Subsection 4.5:
 - 4.5 The total amount payable under this Contract is Two Hundred, Forty Thousand Dollars (\$240,000), hereinafter referred to as "Maximum Contract Sum". The maximum amount payable under this Contract for each of the contract years shall not exceed Sixty Thousand Dollars (\$60,000), hereinafter referred to as "Maximum Annual Contract Sum". Each six month extension of the Contract Term shall not exceed Thirty Thousand Dollars (\$30,000).

ALL OTHER TERMS AND CONDITIONS REMAIN IN FULL FORCE AND EFFECT.

**AMENDMENT NUMBER ONE
TO NEWSPAPER PUBLICATION SERVICES CONTRACT,
NUMBER 75425, WITH DAILY JOURNAL CORPORATION**

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 CONTRACTOR has subscribed the same through its authorized officer, as of the day, month and year first above written. The persons signing on behalf of the CONTRACTOR warrant under penalty of perjury that he or she is authorized to bind the CONTRACTOR.

COUNTY OF LOS ANGELES

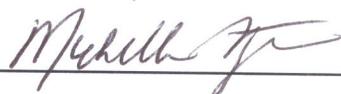
By 
Patricia S. Ploehn, LCSW, Director
Department of Children and Family Services

DAILY JOURNAL CORPORATION

By 

Name Gerald L. Salzman

Title President

By 

Name Michelle Stephens

Title Secretary/Legal Ads Manager

Tax ID 95-4133299

APPROVED AS TO FORM:
BY THE OFFICE OF COUNTY COUNSEL
ROBERT E. KALUNIAN,
INTERIM COUNTY COUNSEL

BY 
Kathy Bramwell
Principal Deputy County Counsel