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Hilda L. Solis  
Mark Ridley-Thomas  
Sheila Kuehl  
Don Knabe  
Michael D. Antonovich

County of Los Angeles  
**COMMUNITY AND SENIOR SERVICES**

3175 West Sixth Street • Los Angeles, CA 90020  
Tel: 213-738-2600 • Fax 213- 487-0379

*Enriching Lives Through Effective And Caring Service*



css.lacounty.gov

Cynthia D. Banks  
Director

Otto Solórzano  
Chief Deputy

**ADOPTED**

BOARD OF SUPERVISORS  
COUNTY OF LOS ANGELES

**23 OF JUNE 9, 2015**

  
PATRICK OZAWA  
ACTING EXECUTIVE OFFICER

June 09, 2015

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:

**APPROVAL TO EXECUTE SOLE SOURCE CONTRACTS WITH  
CNS/RQA/CA, INC. FOR THE PROVISION OF  
DIETARY ADMINISTRATIVE SUPPORT SERVICES (DASS) AND  
FOOD AND NUTRITION MANAGEMENT SERVICES, INC. (FNMS, INC.)  
FOR THE PROVISION OF EFFECTIVE NUTRITIONAL HEALTH ASSESSMENT  
AND NETWORKS OF CARE FOR THE ELDERLY (ENHANCE) SERVICES  
(ALL SUPERVISORIAL DISTRICTS) (3-VOTES)**

**SUBJECT**

Community and Senior Services (CSS) seeks delegated authority to: 1) execute two month-to-month sole source contracts, not to exceed 12 months each, with the following providers: a) CNS/RQA/CA, Inc. for the provision of food service oversight at food production locations that provide nutritional meals to eligible older adults at strategically located congregate sites and home-delivered meals to homebound older adults through the DASS Program; and b) FNMS, Inc. for the provision of one-to-one services to seniors who have diabetes and/or are at moderate or high nutritional risk and their primary caregivers through the ENHANCE Program; 2) execute contract amendments, as needed, with CNS/RQA/CA, Inc. and FNMS, Inc. within the 12-month contract terms to increase or decrease the contract amounts.

**IT IS RECOMMENDED THAT THE BOARD:**

1. Delegate authority to the Director of CSS, or designee, to negotiate and execute a month-to-month sole source contract with CNS/RQA/CA, Inc. for the provision of specialized DASS Program services with a contract term not to exceed 12 months, commencing on July 1, 2015 through June 30, 2016, for a total amount estimated at \$442,000 after County Counsel (Counsel) approval of the contract as to form. Overall funding for this contract is subject to the availability of funds and the

contractor's performance in meeting the goals of the DASS Program in Los Angeles County.

2. Delegate authority to the Director of CSS, or designee, to execute a month-to-month sole source contract with FNMS, Inc. for the provision of ENHANCE Program services with a contract term not to exceed 12 months, commencing on July 1, 2015 through June 30, 2016, for a total amount estimated at \$526,000 after Counsel approval of the contract as to form. Overall funding for this contract is subject to the availability of funds and the contractor's performance in meeting the goals of the ENHANCE Program in Los Angeles County.

3. Authorize the Director of CSS, or designee, to: a) execute contract amendments as needed throughout both the DASS and ENHANCE contract terms effective July 1, 2015 through June 30, 2016, to add, when necessary, any newly relevant or updated County, State, or federal contract language or contract terms; and, b) to increase or decrease the maximum contract amounts in response to the availability of funding received, and based on each contractor's performance provided that: (i) the reimbursement rates do not exceed the maximum allowed rates as indicated in each agency's contract; (ii) any increase does not exceed 10% of each contractor's total maximum contract sum and the total allocation does not exceed funding availability; (iii) approval as to form is obtained from Counsel prior to any such amendments; and (iv) the Director of CSS, or designee, confirms in writing to your Board and the Chief Executive Office (CEO) within 30 days after such amendments have been executed.

#### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

The DASS Program provides critical centralized dietary services at food production and meal service locations as well as centralized dietary services to Area Agency on Aging Elderly Nutrition Program service providers to ensure compliance with regulations through the Older Americans Act (OAA) Title III C – Nutrition Service, Older Californians Act (OCA), Food and Nutrition Act Supplemental Nutrition Assistance Program Nutrition Education and Obesity Prevention (SNAP-Ed) requirements, and California Health and Safety Code (Hazard Analysis Critical Control Points requirements) throughout Los Angeles County. The current DASS Program contract (number DASS-1115-01) was awarded to CNS/RQA/CA, Inc. and that four-year contract is due to expire on June 30, 2015.

The ENHANCE Program provides a triage service delivery system throughout Los Angeles County to identify and serve those at highest risk for malnutrition and nutrition-related health problems such as seniors who have diabetes and/or are at moderate or high nutritional risk. The current ENHANCE Program contract (number ENH-1115-01) was awarded to FNMS, Inc. and that four-year contract is also due to expire on June 30, 2015.

CSS was delayed in releasing Requests For Proposals (RFPs) for both the DASS and ENHANCE Programs and is unable to complete the process within the timeframe needed to award new contracts by June 30, 2015. During this process, the model document templates (including the RFP, Statement of Work and Sample Contract) and the requirements for completing all County-issued solicitations were revised and mandated for use by all County departments. As a result, CSS was compelled to redo all of the procurement documents in their entirety by using the new model document templates.

Pursuant to the legislative requirements for both Programs, which are outlined in California Code of Regulations (Title 22 Section 7364 – Contracts), contracts with providers cannot exceed a four-year term. When CSS recognized that new contracts would not be in place by June 30, 2015 because of

the unexpected delay in releasing the RFPs, CSS determined that it would need to take contract actions requiring approval from the California Department of Aging (CDA), the State funding source for both Programs. Therefore, CSS requested approval from CDA to extend the contract terms beyond the four years for both Programs in order to allow CSS additional time to complete these procurements. In the past, CSS has requested and received approval from CDA that allowed the extension of existing contracts. However, CDA denied CSS's request to extend these current contracts and instead recommended that, in the interim, CSS execute new short-term sole source contracts pursuant to the California Code of Regulations (Title 22 Section 7360 – Noncompetitive Awards) while CSS procures new contracts for these Programs. CSS continues to move forward with these solicitations which are expected to be completed no later than June 30, 2016. This course of action would also allow CNS/RQA/CA, Inc. and FNMS, Inc. to continue providing these critical services to the older adult population without creating a break in services during the month-to-month contract term beginning July 1, 2015 until the award of new contracts by June 30, 2016.

### **Implementation of Strategic Plan Goals**

The recommended actions support the following Countywide Strategic Plan Goals: 1) Operational Effectiveness, 2) Fiscal Sustainability, and 3) Integrated Services Delivery.

### **FISCAL IMPACT/FINANCING**

There is no impact on the County General Fund. Both the DASS and ENHANCE Programs are financed with OAA, OCA and Food and Nutrition Act SNAP-Ed funds provided by CDA. These funds are included in CSS's FY 2015-16 proposed Budget.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

The current DASS Program contract that was awarded to CNS/RQA/CA, Inc. through an RFP procurement became effective on July 1, 2011; and that contract is due to expire on June 30, 2015. The current ENHANCE Program contract that was awarded to FNMS, Inc. through an RFP procurement became effective on July 1, 2011; and that contract is due to expire on June 30, 2015. CSS started the current RFP process for both Programs, and shortly before the solicitation documents were ready for Counsel review/approval as to form, the County model document templates (including the RFP, Statement of Work and Sample Contract) and the requirements for completing all County-issued solicitations were revised and mandated for use by all County departments. As a result, CSS was compelled to redo the procurement documents by using the new model document templates, which caused a delay in completing these solicitations within the timeframe needed to award new contracts by June 30, 2015. Other factors, including having to wait to receive a response from CDA on CSS's request to extend the current contracts, added to the delay in the timely procurement of DASS and ENHANCE Programs service providers by June 30, 2015.

When CSS determined that the procurements would be delayed, CSS requested approval from CDA to extend the contract terms for both Programs in order to allow CSS additional time to complete these procurements. Although CDA had granted such extensions in the past, it denied CSS's request to extend these current contracts and instead recommended that CSS execute new sole source contracts with the current contractors, CNS/RQA/CA, Inc. and FNMS, Inc., pursuant to the requirements of the California Code of Regulations (Title 22 Section 7360 – Noncompetitive Awards).

The month-to-month sole source contracts for CNS/RQA/CA, Inc. and FNMS, Inc. will be effective for

the term of July 1, 2015 through June 30, 2016 for a maximum estimated amount of \$442,000 for CNS/RQA/CA, Inc. and 526,000 for FNMS, Inc. if the full term is required to award newly procured contracts. Executing these sole source contracts will allow sufficient time for CSS to complete competitive procurements that seek to build capacity in the community. The required Sole Source Checklists and justifications have been approved by CEO and are included, herein, as Attachment I and Attachment II.

### **CONTRACTING PROCESS**

Upon Board approval, CSS will execute a month-to-month sole source contract with CNS/RQA/CA, Inc. for a contract term not to exceed 12 months, commencing on July 1, 2015 through June 30, 2016, for a total amount estimated at \$442,000. CSS will also execute a month-to-month sole source contract with FNMS, Inc. for a contract term not to exceed 12 months, commencing on July 1, 2015 through June 30, 2016, for a total amount estimated at \$526,000. CSS is currently finalizing the RFP documents for both Programs in anticipation of releasing these procurements by August 2015. Once the competitive procurement processes have been completed, CSS will notify the Board of the recommended contract awards resulting from these procurements. The two sole source contracts will not be renewed beyond the start date of the future awarded contracts.

### **MONITORING REQUIREMENT**

Administrative and programmatic monitoring of both the DASS and ENHANCE Programs' contractors will be conducted on an annual basis to ensure contractual compliance. Program monitoring is completed by CSS's Contract Compliance Division. Fiscal monitoring is conducted biannually by an approved vendor procured through the Los Angeles County Auditor-Controller's Master Agreement.

### **IMPACT ON CURRENT SERVICES (OR PROJECTS)**

The recommended actions will allow for the continued provision of DASS Program services throughout Los Angeles County, enabling older adults to continue independent living and enjoying safe and nutritious meals at a congregate site or in their homes via home-delivered meals. Additionally, the recommended actions will also ensure that there is continued provision of ENHANCE Program services throughout Los Angeles County, enabling older adults to continue healthy and independent living.

### **CONCLUSION**

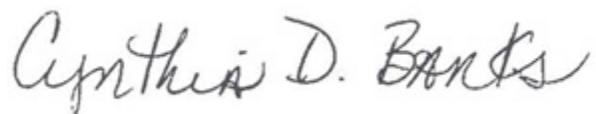
If you have questions, please contact Ms. Sonja Ivey-Rojas at (213) 351-8917 or [siveyrojas@css.lacounty.gov](mailto:siveyrojas@css.lacounty.gov).

The Honorable Board of Supervisors

6/9/2015

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Respectfully submitted,

A handwritten signature in cursive script that reads "Cynthia D. Banks".

CYNTHIA D. BANKS

Director

CDB:OS:PG:CD:SI

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Enclosures

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

## ATTACHMENT I

### DIETARY ADMINISTRATIVE SUPPORT SERVICES (DASS) PROGRAM SOLE SOURCE CHECKLIST

Check (√)	<b>JUSTIFICATION FOR SOLE SOURCE CONTRACTS</b>
	Identify applicable justification and provide documentation for each checked item.
	➤ Only one bona fide source for the service exists; performance and price competition are not available.
	➤ Quick action is required (emergency situation).
	➤ Proposals have been solicited but no satisfactory proposals were received.
	➤ 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.
	➤ Maintenance service agreements exist on equipment which must be serviced by the authorized manufacturer's service representatives.
	➤ It is most cost-effective to obtain services by exercising an option under an existing contract.
	➤ It is in the best interest of the County e.g., administrative cost savings, excessive learning curve for a new service provider, etc.
√	Other reason. Please explain: The State funding source, California Department of Aging, denied our request for an extension and recommended executing a sole source contract.
<div style="display: flex; justify-content: space-between; align-items: center;"> <div style="text-align: center;"> <p><u>s. Kerkhavy</u></p> <p>Deputy Chief Executive Officer, CEO</p> </div> <div style="text-align: center;"> <p><u>5/27/15</u></p> <p>Date</p> </div> </div>	

JK

05/24/15

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| <p>➤ Other reason. Please explain: The State funding source, California Department of Aging, denied our request for an extension and recommended executing a sole source contract.</p> |
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Community and Senior Services (CSS) requests Board authorization to execute a month-to-month sole source contract, not to exceed 12 months, with CNS/RQA/CA, Inc. for the provision of Dietary Administrative Support Services (DASS) Program services. The sole source contract term shall commence on July 1, 2015 and extend through June 30, 2016. CSS anticipates contracting with CNS/RQA/CA, Inc. pursuant to the California Code of Regulations (Title 22 Section 7360 – Noncompetitive Awards) for the reasons outlined herein.

The current four-year DASS Program contract commenced on July 1, 2011 and expires on June 30, 2015. During the initial period of Fiscal Year 2014-15, CSS started developing the Request for Proposal (RFP) in order to solicit proposals and have a new DASS Program contract(s) in place before the current contract expires on June 30, 2015. CSS was in the last stages of preparing the RFP for internal and County Counsel reviews when the Countywide requirements for developing RFPs were changed. As such, CSS was compelled to adhere to these new County requirements by redoing all of the procurement documents in their entirety in order to conform to the County's new solicitation requirements. When this occurred, CSS realized that these unexpected changes would cause a significant delay in releasing the procurement by the targeted release date.

Pursuant to the legislative requirements for the DASS Program, which are outlined in California Code of Regulations (Title 22 Section 7364 – Contracts), the DASS Program contract cannot exceed a four-year term. When CSS recognized that a new contract(s) would not be in place by June 30, 2015 because of the delay in releasing the RFP, CSS determined that it would need to take contract actions requiring approval from California Department of Aging (CDA), the State funding source. Therefore, CSS requested approval from CDA to extend the contract term beyond the four years in order to allow CSS additional time to complete the procurement. In the past, CSS has requested and received approval from CDA that allowed the extension of existing contracts. However, CDA denied CSS's request to extend the current contract and instead recommended that, in the interim, CSS execute a new short-term sole source contract while CSS procures a new DASS Program contract(s). CSS continues to move forward with the DASS Program solicitation and the procurement is expected to be completed no later than June 30, 2016. This course of action

would also allow CNS/RQA/CA, Inc. to continue providing these critical services to the older adult population without interruption.

This contractor, throughout the contract term, has demonstrated an excellent record of experience providing specialized oversight for the large number of Elderly Nutrition Program food production sites in all Supervisorial Districts throughout Los Angeles County. This contractor utilizes registered dietitians who are members of the American Dietetic Association and are certified in food production safety and sanitation practices. CNS/RQA/CA, Inc. has developed expertise in all aspects of service delivery for the DASS Program. Moreover, this contractor has developed unique training materials, monitoring forms and a recognized system of testing for the Program's in-service training component.

It is in the best interest of the County to approve this sole source contract with CNS/RQA/CA, Inc. for the following reasons: avoid a break in the provision of DASS Program services throughout Los Angeles County; allow CSS additional time to conduct the required procurement and award a new contract(s); CDA has recommended this course of action; and, this contractor has established experience and knowledge in providing DASS Program services.

## ATTACHMENT II

### EFFECTIVE NUTRITIONAL HEALTH ASSESSMENT AND NETWORKS OF CARE FOR THE ELDERLY (ENHANCE) PROGRAM SOLE SOURCE CHECKLIST

Check (√)	<b>JUSTIFICATION FOR SOLE SOURCE CONTRACTS</b>
	Identify applicable justification and provide documentation for each checked item.
	➤ Only one bona fide source for the service exists; performance and price competition are not available.
	➤ Quick action is required (emergency situation).
	➤ Proposals have been solicited but no satisfactory proposals were received.
	➤ 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.
	➤ Maintenance service agreements exist on equipment which must be serviced by the authorized manufacturer's service representatives.
	➤ It is most cost-effective to obtain services by exercising an option under an existing contract.
	➤ It is in the best interest of the County e.g., administrative cost savings, excessive learning curve for a new service provider, etc.
√	Other reason. Please explain: The State funding source, California Department of Aging, denied our request for an extension and recommended executing a sole source contract.
<div style="display: flex; justify-content: space-between; align-items: center;"> <div style="text-align: center;"> <p><i>s. Kibhawg</i></p> <hr style="width: 80%; margin: 0 auto;"/> <p>Deputy Chief Executive Officer, CEO</p> </div> <div style="text-align: center;"> <p><i>5/27/15</i></p> <hr style="width: 80%; margin: 0 auto;"/> <p>Date</p> </div> </div>	

*JK*      *5/26/15*

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| <p>➤ Other reason. Please explain: The State funding source, California Department of Aging, denied our request for an extension and recommended executing a sole source contract.</p> |
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Community and Senior Services (CSS) requests Board authorization to execute a month-to-month sole source contract, not to exceed 12 months, with Food and Nutrition Management Services, Inc. (FNMS, Inc.) for the provision of Effective Nutritional Health Assessment and Networks of Care for the Elderly (ENHANCE) Program services. The sole source contract term shall commence on July 1, 2015 and extend through June 30, 2016. CSS anticipates contracting with FNMS, Inc. pursuant to the California Code of Regulations (Title 22 Section 7360 – Noncompetitive Awards) for the reasons outlined herein.

The current four-year ENHANCE Program contract commenced on July 1, 2011 and expires on June 30, 2015. During the initial period of Fiscal Year 2014-15, CSS started developing the Request for Proposal (RFP) in order to solicit proposals and have a new ENHANCE Program contract(s) in place before the current contract expires on June 30, 2015. CSS was in the last stages of preparing the RFP for internal and County Counsel reviews when the Countywide requirements for developing RFPs were changed. As such, CSS was compelled to adhere to these new County requirements by redoing all of the procurement documents in their entirety in order to conform to the County's new solicitation requirements. When this occurred, CSS realized that these unexpected changes would cause a significant delay in releasing the procurement by the targeted release date.

Pursuant to the legislative requirements for the ENHANCE Program, which are outlined in California Code of Regulations (Title 22 Section 7364 – Contracts), the ENHANCE Program contract cannot exceed a four-year term. When CSS recognized that a new contract(s) would not be in place by June 30, 2015 because of the delay in releasing the RFP, CSS determined that it would need to take contract actions requiring approval from California Department of Aging (CDA), the State funding source. Therefore, CSS requested approval from CDA to extend the contract term beyond the four years in order to allow CSS additional time to complete the procurement. In the past, CSS has requested and received approval from CDA that allowed the extension of existing contracts. However, CDA denied CSS's request to extend the current contract and instead recommended that, in the interim, CSS execute a new short-term sole source contract while CSS procures a new ENHANCE Program contract(s). CSS continues to move forward with the ENHANCE Program solicitation and the

Attachment II  
Justification for Sole Source Contracts – ENHANCE Program  
Page 3

procurement is expected to be completed no later than June 30, 2016. This course of action would also allow FNMS, Inc. to continue providing these critical services to the older adults who will be at a greater risk of suffering from malnutrition and other deleterious issues.

This contractor, throughout the contract term, has demonstrated an excellent record of experience providing crucial one-to-one nutrition screenings, assessments, care planning, counseling and intervention needed to improve the nutrition status of seniors with diabetes or at moderate to high risk of malnutrition. The contractor has been instrumental in the development of the unique, award-winning, peer acknowledged “BE WELL” Program.

It is in the best interest of the County to approve this sole source contract with FNMS, Inc. for the following reasons: avoid a break in the provision of ENHANCE Program services throughout Los Angeles County; allow CSS additional time to conduct the required procurement and award a new contract(s); CDA has recommended this course of action; and, this contractor has established experience and knowledge in providing ENHANCE Program services.