



Board Agenda Item 64

DATE: May 17, 2022

TO: Board of Supervisors

SUBMITTED BY: Sanja K. Bugay, Director, Department of Social Services

SUBJECT: Agreement with Superior Court of California for Mediation Services

RECOMMENDED ACTION(S):

- 1. Make a finding that it is in the best interest of the County to suspend the competitive bidding process consistent with Administrative Policy No. 34 as the Superior Court of California is a state governmental agency and is the only provider of a dependency court mediation program; and,**
- 2. Approve and authorize the Chairman to execute an Agreement with Superior Court of California for the provision of mediation services, effective July 1, 2022, not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions, total not to exceed \$990,180.**

Approval of the recommended actions will suspend the competitive bid process and allow for the continuation of mediation services provided by the Superior Court of California (Court) for families involved with Child Welfare Services (CWS). Mediation services provide a non-adversarial mechanism for resolution of Juvenile Dependency Court (Dependency) cases. The recommended agreement will be financed with CWS 2011 Realignment funds in lieu of State funds, with no increase in Net County Cost. This item is countywide.

ALTERNATIVE ACTION(S):

Should your Board choose to not approve the recommended actions, Dependency cases will be prolonged, and children will spend additional time in out-of-home care.

SUSPENSION OF COMPETITION/SOLE SOURCE CONTRACT:

The Department of Social Services' request to suspend the competitive bidding process is consistent with Administrative Policy No. 34 as the Court is a state governmental agency and is the only provider of juvenile dependency court mediation services in the County. The Internal Services Department - Purchasing Division concurs with the Department's request to suspend the competitive bidding process.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended actions. The total cost of the Agreement (\$990,180) is offset with CWS 2011 Realignment funds in lieu of State funds. Sufficient appropriations and estimated revenues will be included in the FY 2022-23 Recommended Budget for the Department's Org 5610, and subsequent budgets.

DISCUSSION:

The Dependency Mediation Program was initiated in 1997 to improve services to children and families involved with Dependency Court. Mediation is a confidential process and provides a non-adversarial method for resolving juvenile dependency cases. The mediators assist parents with reaching a fully informed and mutually acceptable solution regarding custody, visitation, reunification, and permanency plans for their children when involved with CWS. The current agreement with the Court for these services expires June 30, 2022.

If approved, the recommended agreement will offset the cost of one full-time equivalent mediator. Court mediation services help resolve adversarial issues which mitigate lengthy and contested hearings and trials and reduce the amount of time children reside in out-of-home care. Mediation services also reduce caseloads within juvenile courts. Service outcomes include increased child safety, reunification, child wellbeing, and reduced lengths of stay in foster care.

From July 1, 2021, through February 28, 2022, 155 mediations were conducted that involved 362 children, 97% attained a successful resolution.

Upon approval, the recommended agreement will be effective July 1, 2022 not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions based on satisfactory performance with written notice by the Department Director, or designee, and Court. Disclosure of Self-Dealing Transactions language is not included as Court does not operate as a corporation. The recommended agreement contains a mutual hold harmless and indemnification provision, and language which allows for termination of the agreement upon giving 30 days advance written notice by either party.

REFERENCE MATERIAL:

BAI # 58, May 16, 2017

ATTACHMENTS INCLUDED AND/OR ON FILE:

Suspension of Competition Acquisition Request
On file with Clerk - Agreement with the Court

CAO ANALYST:

Sonia M. De La Rosa