



# Board Agenda Item 42

DATE: June 23, 2020

TO: Board of Supervisors

SUBMITTED BY: Kirk Haynes, Chief Probation Officer

SUBJECT: Suspension of Competition and Agreement with Circles of Support and Accountability - Fresno, Inc.

## 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 for unusual or extraordinary circumstances as Circles of Support and Accountability - Fresno, Inc. (COSA) is the only known local vendor that provides victim and offender reconciliation services; and**
- 2. Approve and authorize the Chairman to execute an Agreement with COSA to provide mediation services between offenders and victims effective July 1, 2020, not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions, total not to exceed \$660,000.**

There is no Net County Cost associated with the recommended actions, which will provide for the continuation of victim and offender mediation/reconciliation services to the Probation Department through June 30, 2025. Community Justice Conferencing (CJC) is a program operated by COSA, which brings the victim and offender together to develop a mutually agreed upon plan for restitution. The Probation Department has received CJC program services, formerly known as the Victim Offender Reconciliation Program (VORP), since 1997. A suspension of competition is being requested because of the specialized and unique services provided by CJC, and because there is no other known local vendor providing these services. This item is countywide.

## ALTERNATIVE ACTION(S):

If the recommended agreement is not approved, these services would not be provided when the current agreement expires on June 30, 2020. COSA is the only known local provider of these services.

## SUSPENSION OF COMPETITION:

Probation is recommending your Board suspend the competitive bidding process consistent with Administrative Policy No. 34, as COSA is the only known local provider of these specialized services related to victim and offender reconciliation, as part of the restorative justice process. Probation is active in the restorative justice "community" and would be aware of any new entities offering these unique services. Based on this, no letter of interest was sent out. The Purchasing Division of the Internal Services Department concurs with the Department's request to suspend the competitive bidding process.

## FISCAL IMPACT:

There is no Net County Cost associated with the recommended actions, which will allow for continuation of

services without interruption effective July 1, 2020 through June 30, 2025. The program is fully funded with Youthful Offender Block Grant and Realignment Innovation funds. The maximum cost of the recommended agreement for the three-year term is \$396,000. Extensions for years four and five would be \$132,000 per year, if approved by the Chief Probation Officer, for a total maximum cost of \$660,000. Sufficient appropriations and estimated revenues will be included in the FY 2020-21 budget request for Org 3430 and in future budget requests.

DISCUSSION:

The CJC program, formerly known as VORP, has provided victim and offender reconciliation services for the Probation Department since 1997. The program was previously operated as part of Fresno Pacific University's Center for Peacekeeping and Conflict Studies. Under the new agreement, the CJC program will be operated by COSA. COSA is a nonprofit organization utilizing students in the Fresno Pacific University's Center for Peacemaking and Conflict Studies program and community volunteer mediators specifically trained to provide restorative justice services.

The current agreement expires on June 30, 2020. The recommended actions will approve a three-year agreement to allow the continuation of these services through June 30, 2023, with two optional one-year extensions. In the current agreement, the CJC program provided restorative justice mediation services between juvenile offenders and victims of crime. The recommended agreement will provide these services to both juvenile and adult offenders. Restorative justice is a different way of thinking about crime and responses to crime. It focuses on the harm caused by crime, repairing the harm done to victims, and requires offenders to take responsibility for their actions and the harm they have caused.

The CJC program offers restorative justice and victim offender mediation for offenders and their families as an early intervention service. Diversion and/or victim awareness classes can be a component of the programming offered. Services to offenders who are on formal probation and their families will also be referred for victim offender mediation, restitution collection, and other restorative justice methodology deemed appropriate by the Probation Department. The CJC program monitors the offender's performance of his or her obligation under their individual Restorative Justice Agreement until its completion.

REFERENCE MATERIAL:

BAI #38, June 2, 2015  
BAI #24, June 19, 2012

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - Agreement with COSA  
Suspension of Competition Form

CAO ANALYST:

Samantha Buck