



## Suspension of Competition Acquisition Request

1. Fully describe the product(s) and/or service(s) being requested.
  - B. Riley has provided investigative and advisory services to the Department of Human Resources and County Counsel as related to a cyber loss incident that occurred in September 2020. The scope of work includes gaining an understanding of the fraudulent activity, identifying internal control objectives, reviewing policies and procedures, discussing controls with personnel, observing the control environment, testing transactions, sharing findings, and preparing a written report of the findings. As a result of the findings in the investigation and subsequent report, it was recommended that the County obtain the services of cyber security and preparedness specialist, which is a continued and related service provided by B. Riley.
2. Identify the selected vendor and contact person; include the address, phone number and e-mail address for each.

GlassRatner Advisory & Capital Group, LLC  
B. Riley Advisory Services  
ATTN: Scott Corzine  
555 W. 5<sup>th</sup> Street Suite 3725  
Los Angeles, CA 90013  
(917) 930-5300  
acorzine@brileyfin.com
3. What is the total cost of the acquisition? If an agreement, state the total cost of the initial term and the amounts for potential renewal terms.

The total cost of the acquisition will not exceed Three Hundred Thousand Five and NO/100 Dollars (\$305,000). The term of the agreement will be one (1) year from January 1, 2022 through December 31, 2022.
4. Identify the unique qualities and/or capabilities of the service(s) and/or product(s) that qualify this as a Suspension of Competition acquisition.

As the result of the previous engagement with B. Riley's forensic investigative and advisory consultant services where cyber security and cyber preparedness services were recommended based on the findings of the investigation, and due to direction to contract with an outside firm independent of the County, and due to the need for continuity of services by B. Riley, B. Riley demonstrated the ability to meet the requirements above and the availability to provide the requested services immediately.
5. Identify from Administrative Policy #34 what circumstances constitute a Suspension of Competition.
  - In an emergency when goods or services are immediately necessary for the preservation of the public health, welfare, or safety, or for the protection of County property.
  - When the contract is with a federal, state, or local governmental agency.
  - When the department head, with the concurrence of the Purchasing Agent, finds that the cost of preparing and administering a competitive bidding process in a particular case will equal or exceed the estimated contract amount or \$2,500 whichever is more.
  - When a contract provides only for payment of per diem and travel expenses and there is to be no payment for services rendered.
  - When obtaining the services of expert witnesses for litigation or special counsel to assist the County.
  - When in unusual or extraordinary circumstances, the Board of Supervisors or the Purchasing Agent/Purchasing Manager determines that the best interests of the County would be served by not securing competitive bids or issuing a request for proposal.
6. Explain why the unique qualities and/or capabilities described above are essential to your department.

It is the obligation of the County to be fiscally responsible with public funds. As a result, it is not only important to understand why a loss occurs, but it is also important to ensure that proper processes and procedures are in place to insure that the same type of loss does not occur again. B. Riley conducted a public entity loss investigation and as a result of the findings of that investigation, it was recommended that the County engage in a comprehensive cyber security evaluation, to include the creating of a cyber preparedness plan to appropriately address and mitigate the threat of future losses..
7. Provide a comprehensive explanation of the research done to verify that the recommended vendor is the only vendor with the unique qualities and/or capabilities stated above. Include a list of all other vendors contacted, what they were asked, and their responses.

The County's insurer, Alliant was contacted to make suggestions on cyber investigation firms. As a result of a conversation between the County and Alliant, five firms were suggested: Accenture, Deloitte, KPGM, Kroll, and B. Riley. Three of the firms, Accenture, Deloitte, and Kroll, were eliminated from consideration, as they were primarily recommended for their cyber forensics services, which was beyond the scope of the proposed investigation. KPGM was contacted, but did not respond to the request for proposal. B. Riley has the ability to provide a variety of services, which include, but are not limited to enterprise risk management, operations

mangement, and operational continuity. B. Riley was contacted several times, and because they offer multiple applicable services, they were able to adapt to the services requested as they changed. Once B. Riley selected the appropriate consultant, she met with the Director of Human Resources, County Counsel, and the Risk Manager, who all agreed that her skills and expertise were well-suited to provide the County the requested services. The consultant concluded her investigation in November of 2021, and as a result, it was recommended that the County engage in a cyber security evaluation to address the items identified in the investigation. Further, it was recommended that the County prepare a cyber preparedness plan to address continuing threats. Based on the array of services provided by B. Riley and the ability to provide continuity of previous services, B. Riley is the only vendor able to conduct the recommended services to protect the County from future losses.

Senior Human  
Resources Analyst

Title

jmthompson 12/6/2021 9:20:14 AM

Requested By:

**I approve this request to suspend competition for the service(s) and/or product(s) identified herein.**

hmagill 12/6/2021 9:21:48 AM

Department Head Signature

gcornuelle 12/6/2021 10:46:50 AM

Purchasing Manager Signature