



Board Agenda Item 26

DATE: May 8, 2018

TO: Board of Supervisors

SUBMITTED BY: Lisa A. Smittcamp, District Attorney-Public Administrator

SUBJECT: Agreement with the State of California Employment Development Department

RECOMMENDED ACTION(S):

1. **Make a finding that it is in the best interest of the County to suspend the competitive bidding process under Administrative Policy No. 34 for unusual or extraordinary circumstances for the solicitation of confidential employer and client address information for the District Attorney Welfare Fraud Unit; and**
2. **Approve and authorize the Chairman to execute an Agreement with the State of California Employment Development Department for the procurement of confidential employer and client address information for use during fraud investigations, effective July 1, 2018 through June 30, 2021 for a maximum amount of \$2,676.**

Approval of the recommended actions will allow the Welfare Fraud Unit of the Fresno County District Attorney-Public Administrator's Office (DA-PA) to obtain information that will assist in the prosecution of public assistance fraud with no increase in Net County Cost.

ALTERNATIVE ACTION(S):

The alternative is to forgo the use of resources available from the State of California Employment Development Department (EDD). This will result in less opportunity to investigate and prosecute welfare fraud.

SUSPENSION OF COMPETITION/SOLE SOURCE CONTRACT:

It is requested that the County suspend the competitive bidding process under Administrative Policy No. 34 under the unusual or extraordinary circumstances exception as EDD is the only vendor suited, equipped, and authorized to provide confidential employer and client address information for investigations. The Internal Services Department- Purchasing Division concurs with the Department's request to suspend the competitive bidding process.

FISCAL IMPACT:

There is no additional Net County Cost associated with the recommended actions. Sufficient appropriations will be included in the DA-PA's FY 2018-19 budget request for Org 28620100. Costs incurred as a result of these services are fully reimbursable from state and/or federal funds through the Department of Social Services. The total maximum cost of the three year agreement is based on the rate structure developed by the State of California EDD and is calculated on quarterly totals based on the estimated amount of social security numbers that will be submitted to EDD. Sufficient appropriations will be included in future budget

requests for the department.

DISCUSSION:

In partnership with the Department of Social Services, the Welfare Fraud Unit investigates and prosecutes criminal complaints regarding the fraudulent use of social services. Complaints of potential fraud are submitted to the DA-PA Welfare Fraud Unit and it handles the investigative process from initiation to conclusion.

EDD collects and maintains employment data that may assist the Welfare Fraud Unit in the investigation and prosecution of welfare fraud. The County agrees to use the confidential information provided by EDD for the purpose of locating victims, suspects, potential witnesses, or persons for whom a felony arrest warrant has been issued. The County must request and use the specified information in accordance with the California Unemployment Insurance Code Section 1095(i) and California Penal code Section 830.1.

ATTACHMENTS INCLUDED AND/OR ON FILE:

Suspension of Competition Form
On file with the Clerk - EDD Agreement

CAO ANALYST:

Jeannie Z. Figueroa