



**Agenda Item No. 1
October 5, 2011 Meeting**

DATE: September 26, 2011
TO: Children and Families Commission of Orange County
FROM: Michael M. Ruane, Executive Director 
SUBJECT: Renewal of Agreement with Public Health Foundation Enterprises, Inc. for Administrative and Personnel Services

SUMMARY:

Public Health Foundation Enterprises, Inc. (PHFE) is one of the nation's leading 501c(3) nonprofit fiscal sponsor organizations, serving nonprofit and government agencies since 1968. PHFE provides a comprehensive set of Program Development, Human Resources Management, Fiscal Services, and Contract & Grants Management to nonprofit organizations, government agencies and foundations, including the County of Orange.

Over the last several years, the Commission's workload has changed requiring different staff resources which traditional methods could not effectively provide in a timely manner. To address this need, the Commission approved a two-year agreement with PHFE for Administrative and Personnel Services in November 2006. PHFE has successfully provided the Commission with personnel services for the equivalent of two and one-half full-time (2.5 FTE) positions for accounting and administrative support services. PHFE has provided payroll services and benefits for the staff positions which are assigned to the Commission offices. A three-year renewal with increased support was approved in September 2008.

With the budget reductions and program restructuring underway, it can be expected that Commission activities and workload demands will continue to shift for the foreseeable future. In order to remain in a posture that is responsive to a changing operational environment, staff recommends that the Commission renew the Administrative and Personnel Services agreement through June 30, 2013, in an amount not to exceed \$150,000 per year. This renewal period is consistent with the adopted Commission Business Plan and represents a reduction of the annual allocation. However, these agreements can be terminated by the Commission with 30 days notice.

STRATEGIC PLAN & FISCAL SUMMARY:

The proposed action has been reviewed in relation to the Strategic Plan and is consistent with the Quality Service Program goal. This funding request is for the amount of \$150,000 for an additional one year term through June 30, 2013. Sufficient funding for this item is included in the administrative budget category of the approved FY 2011-12 Budget along with carryover from unexpended funds. The lower annual funding level of \$150,000 reflects the planned reduction in the administrative budget for the Commission.

PRIOR COMMISSION ACTION:

- November 1, 2006 - Approved Agreement No. PS-22 with PHFE for Administrative and Personnel Services for the period November 1, 2006 through October 31, 2008, at a total not to exceed \$250,000 per year.
- September 3, 2008 - Approved a three year agreement for \$900,000 for the equivalent of three full-time (3 FTE) positions.

RECOMMENDED ACTION:

Adopt resolution (Attachment 1) authorizing the Executive Director or designee to prepare and negotiate an Amendment to Agreement PS-68 with Public Health Foundation Enterprises, Inc., to add an amount not to exceed \$150,000 for a total maximum obligation not to exceed \$1,050,000 for Administrative Personnel Services and extending the term of the agreement through June 30, 2013.

ATTACHMENT:

1. Resolution to amend agreement with Public Health Foundation Enterprises, Inc.

CONTACT: Kim Goll

CHILDREN AND FAMILIES COMMISSION OF ORANGE COUNTY

RESOLUTION NO. ___-11-C&FC

October 5, 2011

A RESOLUTION OF THE CHILDREN AND FAMILIES COMMISSION OF ORANGE COUNTY DIRECTING THE EXECUTIVE DIRECTOR OR DESIGNEE TO PREPARE AND NEGOTIATE A SECOND AMENDMENT TO AGREEMENT PS-68 WITH PUBLIC HEALTH FOUNDATION ENTERPRISES, INC.; AND, AUTHORIZING APPROVAL AND EXECUTION OF SUCH AMENDMENT TO AGREEMENT ON BEHALF OF THE COMMISSION

WHEREAS, in order to facilitate the creation and implementation of an integrated, comprehensive, and collaborative system of information and services to enhance optimal early childhood development, the legislature adopted legislation set forth in the California Children and Families Act of 1998, Health and Safety Code Section 130100, *et seq.* (as amended, the “Act”) implementing the Children and Families First Initiative passed by the California electorate in November, 1998 and establishing the California Children and Families Commission and County Children and Families Commissions, including this Children and Families Commission of Orange County (“Commission”); and

WHEREAS, Commission adopted its Strategic Plan to define how funds authorized under the Act and allocated to the Commission should best be used to meet the critical needs of Orange County’s children prenatal to five years of age as codified in the Act; and

WHEREAS, On September 3, 2008 Commission authorized the Executive Director or designee to prepare and negotiate Agreement PS-68 with Public Health Foundation Enterprises, Inc. in an amount not to exceed \$900,000 for Administrative Personnel Services for the term November 1, 2008 through June 30, 2011; and

WHEREAS, On April 1, 2011 the Executive Director authorized a First Amendment to Agreement PS-68 extending the term of the Agreement by 12 months without adding additional funds to continue to provide Administrative Personnel Services through June 30, 2012; and

WHEREAS, the Commission desires to enter into a Second Amendment to Agreement PS-68 with Public Health Foundation Enterprises, Inc., hereinafter referred to as “Professional” in the Agreement extending the term by twelve months through June 30, 2013 and adding an amount not to exceed \$150,000 for a Maximum Payment Obligation not to exceed \$1,050,000 to continue to provide Administrative Personnel Services consistent with the staff report for the October 5, 2011 staff report for this Agenda Item; and

WHEREAS, the Professional desires to enter into the Amendment to Agreement PS-68 in furtherance of the purposes of the Act and the Strategic Plan on the terms and conditions set forth in the applicable Amendment to Agreement; and

WHEREAS, Commission has reviewed the staff report relating to the Scope of Services to be provided and hereby finds and determines that the proposed Amendment to Agreement is in furtherance of and consistent with the Commission's Strategic Plan; and

NOW, THEREFORE BE IT RESOLVED BY THE COMMISSIONERS OF THE CHILDREN AND FAMILIES COMMISSION OF ORANGE COUNTY AS FOLLOWS:

Section 1 Commission finds and determines the foregoing Recitals are true and correct and are a substantive part of this Resolution.

Section 2 Commission hereby authorizes the Executive Director or designee to prepare and negotiate the terms, conditions and final form of a Second Amendment to Agreement PS-68 with the Professional to add an amount not to exceed \$150,000 for a total Maximum Payment Obligation not to exceed \$1,050,000 to continue to provide Administrative Personnel Services through June 30, 2013 consistent with the October 5, 2011 staff report and scope of services referenced therein; and

Section 3 The approval by the Executive Director or designee of the final Second Amendment to Agreement PS-68 shall be conclusively evidenced by the execution of such Amendment to Agreement by the Commission Chair and delivery thereof to the Commission Clerk.

Section 4 Commission hereby approves the Amendment to Agreement PS-68 with the Professional, to add an amount not to exceed \$150,000 for a total Maximum Payment Obligation not to exceed \$1,050,000 as specified in the October 5, 2011 staff report for this Agenda Item.

Section 5 The Commission Chair and the Clerk of the Commission are hereby authorized to execute and attest, respectively, the Amendment to Agreement PS-68 on behalf of the Commission.

Section 6 A copy of the final Amendment to Agreement when executed by the Commission Chair and attested by the Clerk of the Commission shall be appended hereto as a part of Exhibit A to this Resolution. Exhibit A is hereby fully incorporated as a part of this Resolution by this reference and made a part hereof. The final executed Amendment to Agreement PS-68 shall be placed on file in the office of the Clerk of the Commission.

Section 7 In addition to the authorization of Section 2 above, the Executive Director, or designee, is hereby authorized, on behalf of the Commission, (i) to sign all documents necessary and appropriate to carry out and implement the Amendments to Agreement(s), (ii) to cause the issuance of warrants, (iii) to administer the Commission's obligations, responsibilities, and duties to be performed under such agreement(s), and (iv) during the term thereof to provide waivers, administrative interpretations, and minor modifications of the provisions of such agreement(s) in the furtherance thereof.

Section 8 The Clerk of the Commission shall certify to the adoption of this Resolution.

The foregoing resolution was passed and adopted by the following vote of the Children and Families Commission of Orange County on October 5, 2011 to wit:

AYES: Commissioners: _____

NOES: Commissioner(s): _____

EXCUSED: Commissioner(s): _____

ABSTAINED: Commissioner(s) _____

CHAIR

STATE OF CALIFORNIA)
)
COUNTY OF ORANGE)

I, DARLENE J. BLOOM, Clerk of the Commission of Orange County, California, hereby certify that a copy of this document has been delivered to the Chair of the Commission and that the above and foregoing Resolution was duly and regularly adopted by the Children and Families Commission of Orange County.

IN WITNESS WHEREOF, I have hereto set my hand and seal.

DARLENE J. BLOOM
Clerk of the Commission, Children and Families Commission of
Orange County, County of Orange, State of California

Resolution No: __-11-C&FC

Agenda Date: October 5, 2011

Item No. ____



I certify that the foregoing is a true and correct copy of the Resolution adopted by the

DARLENE J. BLOOM, Clerk of the Commission

By: _____
Deputy

EXHIBIT A TO RESOLUTION OF COMMISSION

(Attach copy of final executed Amendment to Agreement PS-68 with Public Health Foundation Enterprises, Inc.)