



RECEIVED
2008 AUG 27 AM 11:37

Agenda Item No. 5
September 3, 2008 Meeting

CLERK OF THE BOARD
ORANGE COUNTY
BOARD OF SUPERVISORS

DATE: September 3, 2008

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 few years, the Commission's workload has both changed and increased requiring additional 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 administrative and support services. PHFE has provided payroll services and benefits for the staff positions which are assigned to the Commission offices.

With the strategic assessment implementation plan 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 for three full-time equivalent positions (3.0 FTE) for the period November 1, 2008 through June 30, 2011, in an amount not-to-exceed \$300,000 per year. This renewal period is consistent with recent Commission action extending program service agreements through June 30, 2011. 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 \$300,000 per year for a term of approximately three years commencing on November 1, 2008 through June 30, 2011. Sufficient funding for this item is included in the approved FY 2008-09 Budget within the

Infrastructure budget category. Project funding for years 2 and 3 will be included in the Budgets for FY 09/10 and FY 10/11.

PRIOR COMMISSION ACTION:

On November 1, 2006, the Commission approved Agreement No. PS-22 with PHFE for Administrative and Personnel Services for the equivalent of two and one-half full-time (2.5 FTE) positions for the period November 1, 2006 through October 31, 2008, at a total not-to-exceed amount of \$250,000 per year.

RECOMMENDED ACTION:

Adopt resolution authorizing Executive Director or Designee to negotiate and enter into Agreement PS-68 with Public Health Foundation Enterprises, Inc., to provide administrative personnel services to support Commission administrative and support functions for the equivalent of 3.0 Full-Time Equivalent (FTE) positions in an amount not to exceed \$900,000 for the period November 1, 2008 through June 30, 2011.

Attachments:

1. Project Summary, Scope of Work, and Schedule of Compensation with Public Health Foundation Enterprises, Inc.
2. Resolution to enter into Agreement No. PS-68 with Public Health Foundation Enterprises, Inc.

CONTACT: Steve Kozak, COO

**THE CHILDREN AND FAMILIES COMMISSION OF ORANGE COUNTY
GRANT AGREEMENT**

PROJECT SUMMARY

Public Health Foundation Enterprises, Inc.
PS-68
Personnel Support Services Agreement
Term: November 1, 2008 – June 30, 2011

1. GRANT RECIPIENT

PUBLIC HEALTH FOUNDATION ENTERPRISES, INC.
a California non-profit corporation
13200 Crossroads Pkwy N Suite 135
City of Industry, CA 91746

Contact: Kelly Rivera, Director, Contracts & Grants (562) 699-7320
Ext. 241, KRivera@PHFE.ORG

OCERS Contact Kelly Rivera

Designated Level of OCERS Reporting: AMM Only

Signatories: Gerald R. Solomon, J.D., President/CEO
Kelly Rivera, Director, Contracts & Grants

2. BACKGROUND

COMMISSION workload continues to fluctuate and increase which requires additional staff resources which cannot be effectively provided through current mechanisms. These needed positions will enhance services funded through COMMISSION by providing personnel and services through PUBLIC HEALTH FOUNDATION ENTERPRISES, INC. (CONTRACTOR) at a cost savings to COMMISSION.

3. PURPOSE

To enhance the oversight and coordination of necessary COMMISSION positions, CONTRACTOR will act as human services provider and fiscal agent to COMMISSION and provide administrative or support services personnel and services equivalent to 3.0 Full-Time Equivalent (FTE) positions as approved by ADMINISTRATOR. The parties agree that any personnel assigned to COMMISSION under this Agreement shall be at all times an employee(s) of CONTRACTOR and that CONTRACTOR shall be fully responsible for such employee(s).

4. SCOPE OF WORK

CONTRACTOR shall perform personnel administration tasks which shall include but are not limited to health screenings, background checks and employment eligibility verification for all personnel assigned to COMMISSION. In addition CONTRACTOR shall:

4.1 Provide timekeeping/payroll services for all personnel assigned to COMMISSION including: tracking hours worked, preparing payroll and mailing checks or providing for direct bank deposit, withholding appropriate Federal, State, FICA, Medicare and other applicable taxes, providing basic employment benefits, e.g. Workers Compensation and healthcare insurance, and making healthcare payments on the members' behalf for such coverage.

4.2 Create and maintain individual personnel files for each position assigned to COMMISSION and ensure that all relevant documents related to health screenings, background checks, employment eligibility verification, training received and healthcare coverage enrollment forms are included in the personnel file.

4.3 Develop and maintain procedures, controls and relevant reports to ensure that administrative functions described in subparagraphs 4.1 and 4.2 above are completed in a timely fashion. CONTRACTOR shall submit reports quarterly or as requested by ADMINISTRATOR.

Exhibit B**SCHEDULE OF COMPENSATION****1. PAYMENT:**

CONTRACTOR shall bill COMMISSION for the actual cost of personnel and administrative services provided under this Agreement up to a Maximum Payment Obligation of \$300,000 per year. Services shall be billed monthly by invoice for services described in the Scope of Services, Exhibit A.

2. BUDGET

The Schedule of Compensation specified in Paragraph 1 to this Exhibit B is based upon the following cost estimates:

Project Budget

Public Health Foundation Enterprises, Inc.	11/1/08 – 06/30/09	07/1/09 – 06/30/10	07/1/10 – 06/30/11
Staffing	\$270,000	\$270,000	\$270,000
Direct project supplies	-0-	-0-	-0-
Capital equipment	-0-	-0-	-0-
Indirect / administrative overhead	\$30,000	\$30,000	\$30,000
Subcontracts	-0-	-0-	-0-
Maximum Payment Obligation	\$300,000	\$300,000	\$300,000

CHILDREN AND FAMILIES COMMISSION OF ORANGE COUNTY

RESOLUTION NO. ___-08-C&FC

September 3, 2008

A RESOLUTION OF THE CHILDREN AND FAMILIES COMMISSION OF ORANGE COUNTY DIRECTING THE EXECUTIVE DIRECTOR TO PREPARE AND NEGOTIATE FINAL FORM OF STANDARD AGREEMENT WITH THE PUBLIC HEALTH FOUNDATION ENTERPRISES, INC., A CALIFORNIA NON-PROFIT CORPORATION AND MAKING CERTAIN FINDINGS IN CONNECTION THEREWITH

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, the Executive Director and Commission Counsel have prepared a standard Master Agreement for Professional Services/Consulting ("Master Agreement"); and

WHEREAS, Commission desires to authorize the Executive Director or designee to negotiate the terms and final form of an Agreement with Public Health Foundation Enterprises, Inc. to provide administrative services and act as the fiscal agent for administrative support personnel, based upon the standard Master Agreement in an annual amount not-to-exceed \$300,000 for the period November 1, 2008 through June 30, 2011; and

WHEREAS, Commission has reviewed the September 3, 2008 staff report relating to the Scope of Services to be provided and hereby finds and determines that the proposed Agreement is in furtherance of and consistent with the Commission's Strategic Plan; and

WHEREAS, Commission desires to authorize the Commission Chair and Commission Clerk to enter into an Agreement with the Public Health Foundation Enterprises, Inc. in an annual amount not-to-exceed \$300,000 for the period November 1, 2008 through June 30, 2011.

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 authorizes the Executive Director to prepare and negotiate the final form of an Agreement with the Public Health Foundation Enterprises, Inc., dba PHFE Management Solutions in an annual amount not-to-exceed \$300,000 for the period November 1, 2008 through June 30, 2011, to provide administrative services and act as the fiscal agent for administrative support personnel consistent with the September 3, 2008 staff report and scope of services referenced therein;

Section 3 The form of the Agreement with Public Health Foundation Enterprises, Inc., dba PHFE Management Solutions shall be substantially similar to the form of the standard Master Agreement, subject to minor, non-substantive revisions as reviewed and approved by the Executive Director. The approval by the Executive Director, or designee, of the final form of the Agreement shall be conclusively evidenced by the execution of such agreement by the Commission Chair and delivery thereof to the Commission Clerk.

Section 4 Commission hereby approves the Agreement with Public Health Foundation Enterprises, Inc., dba PHFE Management Solutions in an annual amount not-to-exceed \$300,000 for the period November 1, 2008 through June 30, 2011 to provide administrative services and act as the fiscal agent for administrative support personnel as specified in the staff report.

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

Section 6 A copy of the final Agreement with Public Health Foundation Enterprises, Inc., 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 Agreement shall be placed on file in the office of the Clerk of the Commission.

Section 7 In addition to the authorization of Sections 2, and 3 above, the Executive Director (or his designee) is hereby authorized, on behalf of the Commission, (i) to sign all documents necessary and appropriate to carry out and implement the Agreement, (ii) to cause the issuance of warrants, (iii) to administer the Commission's obligations, responsibilities, and duties to be performed under such agreement, and (iv) during the term thereof to provide waivers, administrative interpretations, and minor modifications of the provisions of such agreement 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 September 3, 2008 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: __-06--C&FC

Agenda Date: September 3, 2008

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 Agreement with Public Health Foundation Enterprises, Inc., dba
PHFE Management Solutions)