

**Agenda Item 7**
March 2, 2016

DATE: February 24, 2016

TO: Children and Families Commission of Orange County

FROM: Christina Altmayer, Executive Director 

SUBJECT: Kid Builders Mobile Application Project

ACTION: Receive funding from the Orange County Department of Education and adopt resolution authorizing agreement with SwizzMagik, LLC for the Kid Builders Mobile Application project.

SUMMARY:

The Children and Families Commission of Orange County submitted a proposal that was accepted by the Orange County Department of Education (OCDE) to fund the development of a Kid Builders Mobile Application for smart phones and tablets. This agenda item requests approval to receive the funding and enter an agreement with the mobile application designer.

DISCUSSION:

The Commission was invited to submit an application to the Orange County Department of Education to fund the design, development and implementation of a mobile application featuring the Kid Builders activities that were created by the Commission in 2005 and initially available in a two volume set of three-ring binders that are no longer in print. The Kid Builders activities were developed as an easy way to help children grow in six areas: mind, words, body, relationships, safety and health. All of these areas were deemed important for children to be healthy and ready to succeed in school and in life.

The Kid Builders are organized into the six areas for five age categories: baby, one, two, three, and four/five. Each area includes 10 activities a parent or caregiver can do with their child to support growth. The activities were developed by early education experts and designed for low-or no cost implementation. The Commission continues to receive requests for the printed Kid Builders binders and have made the activities in both English and Spanish available on the Commission website in a pdf/downloadable format.

Developing the Kid Builders activities into a free mobile application for modern Apple and Android smart phones and tablets is the next phase for the product. The Orange County Department of Education granted \$15,000 for the mobile application that is expected to increase access to the activities for parents and caregivers that are on-the-go through their electronic devices. Research has shown that 64 percent of American adults own a smart phone and depend on their smart phones for internet access.

The grant from OCDE specifies SwizzMagik, LLC as the lead developer for the mobile application. The grant will fund the development and one year of data hosting services. Entering an agreement with SwizzMagik, LLC to design, build and implement the Kid Builders Mobile Application project and provide data hosting services for one year is recommended. The on-going data hosting services are estimated at an annual cost of \$420. If the Kid Builders Mobile Application is well received, these costs will be included in the annual budget for consideration by the Commission.

STRATEGIC PLAN & FISCAL SUMMARY:

This program has been specifically reviewed in relation to the Strategic Plan and is consistent with the Early Learning goal area. The total request is for \$15,000 and is funded through a grant from the Orange County Department of Education.

PRIOR COMMISSION ACTIONS:

- January 2007 – Adopted resolution authorizing to enter into an agreement with Meredith Corporation to print 60,000 sets of Kid Builders books, in both Spanish and English, for continued program implementation in the amount of \$645,600.
- December 2005 - Authorized Executive Director to execute any required documents and payment of related fees required to protect Commission Publication Rights.
- September 2005 - Received report on Kid Builders Pilot Program

RECOMMENDED ACTION:

1. Receive funding in the amount of \$15,000 from the Orange County Department of Education to develop the Kid Builders Mobile Application.
2. Adopt resolution authorizing the Executive Director, or designee to enter agreement PS-135 with SwizzMagik, LLC in an amount not to exceed \$15,000 for the term beginning March 1, 2016 to June 30, 2016 to design, build and implement the Kid Builders Mobile Application project and provide data hosting services for one year.

ATTACHMENT:

1. Resolution with SwizzMagik, LLC

Contact: Kelly Pijl

CHILDREN AND FAMILIES COMMISSION OF ORANGE COUNTY

RESOLUTION NO. ___-16-C&FC

March 2, 2016

A RESOLUTION OF THE CHILDREN AND FAMILIES COMMISSION OF ORANGE COUNTY DIRECTING THE EXECUTIVE DIRECTOR AND COMMISSION COUNSEL TO PREPARE AND NEGOTIATE AGREEMENT PS-135 WITH SWIZZ MAGIK, LLC FOR CREATING THE KID BUILDERS MOBILE APPLICATION AND AUTHORIZING APPROVAL AND EXECUTION OF SUCH 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, the Executive Director and Commission Counsel have prepared a standard Professional Services Agreement, which was approved by the Commission; and

WHEREAS, the Commission desires to enter Agreement PS-135 (“Agreement”) with Swizz Magik, LLC, hereinafter referred to as “Contractor”, for creating the Kid Builders mobile application to for the terms and in the amounts as specified in the March 2, 2016 staff report; and

WHEREAS, Contractor desires to enter into the Agreement with Contractor in furtherance of the purposes of the Act and the Strategic Plan on the terms and conditions set forth in the applicable Agreement; and

WHEREAS, Commission has reviewed the staff report for the March 2, 2016 Commission meeting relating to the scopes 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 execute the Agreement with the Contractor in the amount and for the terms as specified in the March 2, 2016 staff report for this Agenda Item;

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, or designee, and Commission Counsel to prepare and negotiate the Agreement with the Contractor as described in the March 2, 2016 staff report for this Agenda Item to create the Kid Builders mobile application in the amounts and for the terms consistent with the March 2, 2016 staff report and scope of services referenced therein.

Section 3 The form of the Agreement with the Contractor, in the amounts and for the terms as specified in the March 2, 2016 staff report for this Agenda Item, shall be substantially similar to the form of the standard Professional Services Agreement, subject to minor, non-substantive revisions as reviewed and approved by the Executive Director or designee and Commission Counsel. The approval by the Executive Director or designee 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 Contractor as described in the March 2, 2016 staff report for this Agenda Item to create the Kid Builders mobile application in the amounts and for the terms as specified in the March 2, 2016 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 Agreement on behalf of the Commission.

Section 6 A copy of the 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 Agreement 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 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 March 2, 2016 to wit:

AYES Commissioners: _____

NOES Commissioner(s): _____

EXCUSED Commissioner(s): _____

ABSTAINED Commissioner(s): _____

CHAIR

STATE OF CALIFORNIA)
)
COUNTY OF ORANGE)

I, ROBIN STIELER, 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.

ROBIN STIELER
Clerk of the Commission, Children and Families Commission of
Orange County, County of Orange, State of California

Resolution No: __-16-C&FC

Agenda Date: March 2, 2016

Item No. __



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

ROBIN STIELER, Clerk of the Commission

By: _____
Deputy

EXHIBIT A TO RESOLUTION OF COMMISSION

(Attach copy(ies) of final executed Agreement)