

# County of Santa Clara

## Santa Clara County In-Home Supportive Services (IHSS) Public Authority



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IHSS02 060909

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DATE: June 9, 2009

TO: Governing Board of the Public Authority for In-home Supportive Services

FROM:   
Gary A. Graves  
Acting County Executive

SUBJECT: Delegation of Authority to the County Executive to Enter Into an Agreement with the Council on Aging Silicon Valley

### **RECOMMENDED ACTION**

Approve delegation of authority to the County Executive, or designee, to negotiate, execute, amend and terminate a service agreement with the Council on Aging Silicon Valley relating to providing management services to the In-Home Supportive Services (IHSS) Public Authority in an amount not to exceed \$1,247,676 for the period of July 1, 2009 through June 30, 2010, with the option of two additional one-year terms (additional amounts may vary per term based upon availability of additional revenue) following approval by County Counsel as to form and legality, and approval by the Office of the County Executive. Delegation of authority shall expire on June 30, 2012.

### **FISCAL IMPLICATIONS**

There is no impact on the County General Fund. IHSS Public Authority Management services are included in the FY 2010 Recommended Budget.

## **CONTRACT HISTORY**

On May 1, 1999, the original agreement between the Public Authority Governing Board and the Council on Aging to provide management services through June 30, 2000 was executed. On June 6, 2000 the Public Authority Governing Board approved the first amendment extending the term of the contract through September 30, 2000. On September 19, 2000, a second amendment was executed for an additional extension through June 30, 2001, and to provide for expanded services for health benefits administration. On June 26, 2001, the Public Authority Governing Board approved a third amendment to the agreement extending the term through June 30, 2002.

On June 4, 2002 the Public Authority Governing Board authorized a sole source agreement with the Council on Aging for a one year period through June 30, 2003. On June 3, 2003 the Public Authority Governing Board again authorized a sole source agreement with the contractor the following year through June 30, 2004. On June 22, 2004 the Public Authority Governing Board approved a delegation of authority authorizing the County Executive or designee to negotiate, execute, and amend an Agreement with the Council on Aging Silicon Valley which resulted in management services agreements for FY 2005 and FY 2006.

On June 6, 2006 the Public Authority Governing Board approved a delegation of authority authorizing the County Executive to negotiate, execute, and amend an Agreement with the Council on Aging Silicon Valley which resulted in three subsequent management services agreements for FY 2007, FY 2008, and FY 2009.

## **REASONS FOR RECOMMENDATION**

The Office of the County Executive is requesting delegation of authority in accordance with Board of Supervisors policy to execute an agreement with Council on Aging Silicon Valley (COA) to provide management services for the IHSS Public Authority. Delegation of authority will allow the Office of the County Executive to continue Public Authority services without interruption.

The proposed contractor has provided consistent management services to the IHSS Public Authority since May 1999. Public Authority management services include, but are not limited to maintaining a registry and conducting benefits administration and training for IHSS providers. COA is uniquely qualified as a sole source contractor due to their long standing presence in the community, experience working with the target population, and understanding IHSS recipients and providers needs relating to the administration of the program. COA has developed administrative efficiencies in the provision of management services such as creating and maintaining a registry matching software and other software tools to successfully meet the mandates of the Public Authority. COA has a proven track record of having the capacity to assume greater responsibility over administrative and direct service activities as the scope and responsibilities of the Public Authority have increased. The County has contracted with COA as a sole source vendor since FY 2003.

## **BACKGROUND**

In 1992, California enacted legislation to define the role of Public Authorities established by County Boards of Supervisors to provide for the delivery of IHSS. In December 1996, the Santa Clara County Board of Supervisors adopted an ordinance creating the In-Home Supportive Services Public Authority to act as the employer of record of IHSS providers for purposes of collective bargaining. In addition to being the employer of record, Public Authorities are required to establish and operate a provider registry of available and qualified independent providers for referral, to investigate the qualifications and background of potential providers, and to provide access to training for providers and recipients.

### **CONSEQUENCES OF NEGATIVE ACTION**

Failure to authorize this action would result in the termination of the current Management Services Agreement effective July 1, 2009, and would result in the termination of health, dental and vision plan services for eligible IHSS Independent Providers.

### **STEPS FOLLOWING APPROVAL**

The Office of the County Executive will send an executed copy of the agreement to the Clerk of the Board within 30 days of execution.