Los Angeles County Children and Families First-Proposition 10 Commission

All Departments
Policy and Guidelines for Selecting Strategic Partners

1. POLICY STATEMENT

First 5 LA may enter into strategic partnerships, for specific purposes and under limited conditions, without a competitive solicitation process and through sole source contracting. Compliance with this policy will provide consistency, transparency, accountability and uniformity in the selection of strategic partners.

2. PURPOSE

The purpose of this policy is to provide a process for the selection of strategic partners based on specific guidelines established by the “Los Angeles County Children and Families First – Proposition 10 Commission ("Commission") aka First 5 LA.”

3. APPLICATION

This policy applies to all strategic partners being considered and/or applying to provide programs and/or services to or in partnership with the Commission. A strategic partner is defined as an existing governmental, not-for-profit or for-profit entity which has specific resources needed by the Commission and which has the demonstrated resources, ability or level of expertise to implement specific activities in cooperation with the Commission that are consistent with the Commission’s Strategic Plan in a manner that is more cost effective and, expeditious. A strategic partner is selected based on a detailed and well-documented assessment rather than by going out to bid to solicit the specific expertise required.

4. RESPONSIBILITIES

The Commission, the Chief Executive Officer and staff are responsible for implementing this policy.

5. PROCEDURES

To ensure that First 5 LA activities are aligned with the strategic plan goals, the Board of Commissioners works with Commission staff to develop a set of prioritized initiatives, programs and activities and proportionate allocations. Once a project or initiative allocation is determined, planning and implementation activities commence, at which point an assessment of resources required is determined. Upon the written proposal of either the Chief Administrative Officer or Chief Program Officer, the Chief Executive Officer may determine that entering into a strategic partnership is in the best interest of First 5 LA, subject to review by the Commission and compliance with this policy. The decision to choose and contract with a specific strategic partner shall be made by the Commission in an open meeting, except where the strategic partnership
under consideration is for a total amount of funding less than $25,000 in a fiscal year, in which case the decision may be made by the Chief Executive Officer. The Chief Executive Officer may refer any strategic partnership decision within his/her authority to the Commission for decision. Proposed strategic partnerships shall not be divided into multiple smaller amounts to avoid consideration by the Commission. Each decision to enter into a strategic partnership shall require that either the Commission or the Chief Executive Officer make any one of the following specific written findings of justification:

1. That the proposed Strategic Partner can provide specific resources needed by First 5 LA to implement an approved program or initiative in a manner or on a scale that makes the strategic partnership more cost-effective than resources that would be obtained through a competitive solicitation; or

2. That the proposed Strategic Partner can implement an approved program or initiative more expeditiously than resources that would be obtained through a competitive solicitation; or

3. That the proposed Strategic Partner can provide a demonstrated level of ability or expertise that is only available in the community through the proposed strategic partnership; or

4. That working with the Strategic Partner provides significant and unique opportunities to leverage First 5 LA funds to produce additional funding for the program or service.

The Commission or the Chief Executive Officer shall be further required to find that the proposed strategic partnership is consistent with the adopted Strategic Plan.

All such findings, and the factual justifications for the findings, shall be made in writing and written evidence of the findings shall be maintained in the publicly-accessible project file with the executed strategic partnership agreement. Each written decision to approve a strategic partnership shall state clearly that the strategic partnership approval includes the authorization to dispense with a competitive bidding process and award the strategic partnership through a sole-source procurement or other specified process.

6. CONFLICT OF INTEREST

The Commission shall not select a strategic partner who has a conflict of interest, or with whom a Commissioner or staff member has a conflict of interest, except as permitted by applicable law. A conflict of interest exists when one has the opportunity to advance or protect one’s own interest or private interest of others, with whom one has a relationship, in way detrimental to the interest, or potentially harmful for the integrity or fundamental mission of the Commission. No Commissioner or staff member or consultant shall make, participate in making, or in any way use his or her official position to influence the making of a decision to make a strategic partnership decision for this Commission when he or she knows or has reason to know he or she has a financial interest that could be materially impacted by the decision. Decision-makers must recognize that even the perception or temptation of a conflict of interest may give rise to the disqualification of a proposer or the termination of a contract. Commission staff shall consult with legal counsel regarding potential conflicts of interest at the earliest opportunity.