

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
OF SAN BERNARDINO COUNTY
AND RECORD OF ACTION**

December 17, 2024

FROM

JEANY ZEPEDA, Director, Children and Family Services

SUBJECT

Amendment to Contract with Binti, Inc. for the Family Finding Module

RECOMMENDATION(S)

1. Approve **Amendment No. 1 to Master Subscription and Services Agreement No. 24-205**, with Binti, Inc, adding Addendum 1, Family Finding Terms, including non-standard terms, to the Master Subscription and Services Agreement with Binti, Inc, for license and support services of the Binti Platform, from the effective date of March 12, 2024 and continuing until terminated by either party, or until there are no active orders in place.
2. Approve **Amendment No. 1 to Order Form No. 24-206**, with Binti Inc., including non-standard terms, subject to the terms of the Master Subscription and Services Agreement and Amendment No. 1 in Recommendation No. 1, adding the Family Finding Module, to the list of services provided by Binti, Inc. and increasing the cost by \$538,000, from \$1,432,692, for a total not to exceed amount of \$1,970,692, with no change to the total contract period of April 1, 2024 through March 31, 2027.

(Presenter: Jeany Zepeda, Director, 387-2792)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

Provide for the Safety, Health and Social Service Needs of County Residents.

Pursue County Goals and Objectives by Working with Other Agencies and Stakeholders.

FINANCIAL IMPACT

This item does not require Discretionary General Funding (Net County Cost). The total cost will not exceed \$1,970,692 for the three-year period of April 1, 2024 through March 31, 2027, and is funded 100% with federal and state funding through the Resource Family Assessment Allocation. Adequate appropriation and revenue have been included in the Human Services Administrative Claim 2024-25 budget and will be included in future recommended budgets.

BACKGROUND INFORMATION

The recommended amendment to the Master Subscription and Services Agreement (Amendment) and Order Form (Amended Order Form) with Binti, Inc. (Binti) will allow the purchase of a Family Finding Module to supplement the current Binti platform (Platform). The current Platform allows potential resource families to apply online and complete state requirements to be approved as a resource family, which is an alternative and stable family. The proposed Family Finding Module will allow Children and Family Services (CFS) to search for potential kin when exploring placement options for children.

**Amendment to Contract with Binti, Inc. for the Family Finding Module
December 17, 2024**

Welfare and Institution Code, section 16519.5, requires the California Department of Social Services (CDSS), in conjunction with county child welfare agencies, to implement a unified Resource Family Approval (RFA) process. Current law requires San Bernardino County (County) to provide services to the family, so the child can return safely to the parents. The preferred route to permanency is through safe reunification, but when that is not possible, services must be provided for the child or youth through a resource family. Written directives received from CDSS required CFS to establish a single approval process or RFA, for all types of placements. CFS has been contracting with Binti for the use of their Binti Platform since 2018, which has assisted CFS in meeting CDSS' requirement.

The Platform allows CFS to run specific reports to monitor, expedite, and improve the RFA process for children and families who become involved in the child welfare system. The Platform is a web-based tool developed to assist California counties in meeting the service delivery activities and performance indicators established by both the California and federal regulatory requirements.

The Platform is specifically designed and customized to work collaboratively with the existing California Child Welfare Services/Case Management System (CWS/CMS). The Platform supports the efforts of child welfare service agencies to efficiently move families through the rigorous RFA application process via a secure web-based platform. It is available seven days per week, 24 hours per day and allows applicant families to complete the application process online, ensures security of all personal data through database encryption, and allows CFS to manage the RFA workflow. The addition of the Family Finding Module will allow CFS to search for potential kin, send bulk outreach to them, track their engagement efforts, generate a family tree for the child, and automate reporting all in one platform.

Services provided under the recommended Agreement with Binti may be terminated by the County or Binti without cause upon written notice to the other party. Binti's performance will be monitored annually for compliance with the administrative, fiscal, and program terms and conditions of the recommended Agreement.

The Amendment is Binti's standard commercial contract, which includes terms that differ from the standard County contract. While the parties negotiated certain contract terms to meet County standards, Binti would not agree to all County standard terms. Non-standard and missing terms include the following:

1. The Amendment requires that the County defend, indemnify and hold harmless Binti from any losses, claims, damages, liabilities or costs (including reasonable attorneys' fees) associated with the County's breach of terms of service and/or applicable law.
 - The County standard contract does not include any indemnification or defense by the County of a contractor.
 - Potential Impact: By agreeing to indemnify Binti, the County could be contractually waiving the protection of sovereign immunity. Claims that may otherwise be barred against the County, time limited, or expense limited could be brought against Binti without such limitations and the County would be responsible to defend and reimburse Binti for costs, expenses, and damages, which could exceed the total Agreement amount.

CFS recommends approval of the Amendment and Amended Order Form with Binti, including non-standard terms, to continue streamlining of the RFA process to better meet County youth needs, as well as ensuring the department continues to comply with CDSS law.

**Amendment to Contract with Binti, Inc. for the Family Finding Module
December 17, 2024**

PROCUREMENT

On March 12, 2024 (Item No. 17), the Board of Supervisors approved a non-financial Master Subscription and Services Agreement, including non-standard terms, with Binti, Inc. and an Order Form with Binti, Inc., subject to the terms of the Master Subscription and Services Agreement, for the purchase of license and support services for the Binti Platform, which will allow potential resource families to apply online, in an amount not to exceed \$1,432,692 for the period of April 1, 2024 through March 31, 2027.

REVIEW BY OTHERS

This item has been reviewed by Human Services Contracts (Patty Steven, Contracts Manager, 388-0241) on November 21, 2024; County Counsel (Daniella V. Hernandez, Deputy County Counsel, 387-5455) on November 22, 2024; Risk Management (Gregory Ustaszewski, Staff Analyst II, 386-9008) on November 25, 2024; Finance (John Hallen, Administrative Analyst, 388-0208) on November 25, 2024; and County Finance and Administration (Cheryl Adams, Deputy Executive Officer, 388-0332) on December 2, 2024.

**Amendment to Contract with Binti, Inc. for the Family Finding Module
December 17, 2024**

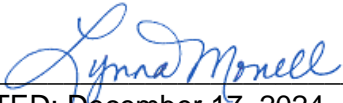
Record of Action of the Board of Supervisors
San Bernardino County

APPROVED (CONSENT CALENDAR)

Moved: Curt Hagman Seconded: Joe Baca, Jr.

Ayes: Col. Paul Cook (Ret.), Jesse Armendarez, Dawn Rowe, Curt Hagman, Joe Baca, Jr.

Lynna Monell, CLERK OF THE BOARD

BY 
DATED: December 17, 2024



cc: CFS - Figueroa w/agrees
Contractor - c/o CFS w/agree
File - w/agree

CCM 12/26/2024