

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

June 11, 2024

FROM

TRACY REECE, Chief Probation Officer, Probation Department

SUBJECT

Contracts for Probation Training Courses

RECOMMENDATION(S)

Approve contracts with the following agencies, including non-standard terms, to provide training courses to sworn and non-sworn Probation Department personnel, in an aggregate amount not to exceed \$2,000,000, for the contract period of July 1, 2024 through June 30, 2029:

1. Advantage Public Institute, **Contract No. 24-504.**
2. Aguiar Professional Training, LLC, **Contract No. 24-505.**
3. The Acadami, LLC, **Contract No. 24-506.**
4. Clinton Armitage dba Armitage Tactical, **Contract No. 24-507.**
5. Thomas J. Broxtermann dba Badge Behavior, **Contract No. 24-508.**
6. California Creative Solutions, Inc. dba CCS Learning Academy, **Contract No. 24-509.**
7. Ronald Duane Snow dba Certified Safety Instructors, **Contract No. 24-510.**
8. Crisis Prevention Institute, Inc., **Contract No. 24-511.**
9. DPrep, Inc., **Contract No. 24-512.**
10. Embassy Consulting Services, LLC, **Contract No. 24-513.**
11. Fair and Impartial Policing, LLC, **Contract No. 24-514.**
12. Jamie Wolf dba Island Consulting and Training, **Contract No. 24-515.**
13. JT SAANS & Associates Consulting Firm, **Contract No. 24-516.**
14. Lesly Pickett dba Lifestyle CPR Training, **Contract No. 24-517.**
15. Metztlil Counseling Services, **Contract No. 24-518.**
16. Nicole Patel dba M.L. Eslinger & Associates, Inc., **Contract No. 24-519.**
17. New Life Facility, Inc., **Contract No. 24-520.**
18. Gina Marie Wilkie dba Prism Presentations and Trainings, **Contract No. 24-521.**
19. Rescue Training Institute, Inc., **Contract No. 24-522.**
20. Serrato & Associates, Inc., **Contract No. 24-523.**
21. Simple Solutions Family Therapy, Inc. dba Simple Solutions Psychotherapy, **Contract No. 24-524.**
22. Skyrocket, Inc., **Contract No. 24-525.**
23. SNVA, LLC., **Contract No. 24-526.**
24. New Horizons Learning, LLC. dba New Horizons, **Contract No. 24-527.**
(Presenter: Tracy Reece, Chief Probation Officer, 387-5692)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

Improve County Government Operations.

Ensure Development of a Well-Planned, Balanced, and Sustainable County.

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

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FINANCIAL IMPACT

Approval of this item will not result in the use of additional Discretionary General Funding (Net County Cost). Provision of training courses is funded with 2011 Realignment funding, including the Youth Offender Block Grant and Assembly Bill 109 funding. The aggregate amount of \$400,000 for the first year of services will be included in the Probation Department's (Probation) 2024-2025 Recommended Budget (4810001000) and will be included in future recommended budgets.

BACKGROUND INFORMATION

Probation's Training Division (Training) develops an Annual Training Plan (Plan) for all sworn and non-sworn personnel. These training courses enhance current job skills, develop skills for future assignments, and benefit general professional development and personal growth.

Training is also responsible for ensuring that sworn personnel are in compliance with the requirements set forth by the Board of State and Community Corrections (BSCC), by having Standards and Training for Corrections (STC) training courses available, in addition to other County, State, and Federal Government training minimum requirements for sworn and non-sworn personnel.

On March 19, 2019 (Item No. 22), the Board of Supervisors (Board) approved contracts for Probation Training Courses as a result of a competitive bid request (RFQ PROB18-PROB-2903) with an aggregate total amount of \$1,829,960 to provide training courses to sworn and non-sworn Probation personnel. These contracts will expire June 30, 2024. Approval of the recommended contracts will allow Probation to continue its compliance for required training courses.

Per County Policy 11-05, contracts containing non-standard contract language must be approved by the Board. The contract with Crisis Prevention Institute, Inc. contains the following terms and conditions that differ from the standard County contract:

1. All training materials, including copyrights, trademarks, trade secrets, patents, and any other type of intellectual property are considered the intellectual property of the contractor and its property and shall not be used after contract termination. Additionally, the County is required to remove all digital, on-line, and blended Training Materials from its Training database.
 - The County's standard contract language provides that the County shall have a royalty-free, non-exclusive and irrevocable license to publish, disclose, copy, translate, and otherwise use, copyright or patent materials developed under the contract that are covered by copyright, primarily due to the use of public funds to pay for such work product.
 - Potential Impact: The County will not have rights to any work product developed as part of the Contract and will have no ability to seek ownership of this information, if desired. After termination of the Contract, the County will not gain rights to ownership of this information and therefore this provision lasts indefinitely.
2. The County is required to comply with confidentiality terms, including safe-guarding and non-disclosure of intellectual property, and not using intellectual property except in the course of the services provided by the contractor.

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- The County's standard contract requires the contractor to keep County information confidential, but the County does not typically agree to maintain information or documents as confidential because of California's government transparency laws and policies, including County Code sections 19.0101 through 19.0109.
- Potential Impact: To comply with the provisions, Probation must ensure that any digital documents reside on password-protected secure computers accessible only by County employees. Additionally, Probation will need to advise employees to abide by the intellectual property terms and must not directly or indirectly distribute copies of the training materials outside of the training courses which files should not be placed in files with public records. In the event that a disclosure of such documents is requested, for example, through a Public Records Act request, the County may tender to Contractor the defense of the subpoena or process and may be relieved of its confidentiality obligations if disclosure is required by applicable law, court order, or subpoena.

The contracts with Crisis Prevention Institute, Inc. and Clinton Armitage dba Armitage Tactical contain the following terms and conditions that differ from the standard County contract:

1. The contract includes a mutual termination for convenience with 30 days notice.
 - The County's standard contract does not mutually provide termination for convenience.
 - Potential Impact: If the contractor terminates the contract it may leave Probation without a contractor to provide required services, which may result in the necessity to prepare an additional request for proposal to procure the services.

While these are notable exceptions to the County's standard contract language, Probation recommends approval of all 24 contracts, including the non-standard terms, to continue to improve personnel professional and personal growth and comply with training requirements. County Counsel and the Department of Risk Management have reviewed and provided input on the proposed contracts.

PROCUREMENT

On January 10, 2024, Request for Proposals (RFP) PROB24-PROB-5236 was approved and released through the San Bernardino County's (County) Electronic Procurement Network (ePRO) for the provision of training courses to Probation's sworn and non-sworn personnel. A total of 20 proposals were received and it was determined that a second RFP was necessary to increase participation and to meet Probation's required STC courses as set forth by the BSCC.

On February 19, 2024, RFP PROB24-PROB-5304 was approved and released through ePRO. 26 proposals were received by the established deadline in response to the RFP. The evaluation panel, with representation from Probation, reviewed and evaluated the proposals based on the criteria listed in the RFP. The criteria included qualifications and experience, financial, technical review, cost, and references. Of the 26 proposals, two are not recommended for contracts because Noverant, Inc. could only provide online non-STC training which Probation does not have a need for and the services proposed by Evident Change are already in place via a contract with the National Council on Crime and Delinquency, now known as Evident Change. Based on the evaluation criteria, the evaluation panel determined that the 24 vendors listed above best met the needs of the County.

Award and denial letters were sent to all responsible and responsive proposers on May 16, 2024. The County did not receive any protests within the allowable timeframe.

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The Purchasing Department supports this competitive procurement based on the formal solicitation described above.

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Maria Insixiengmay, Deputy County Counsel, 387-5455) on May 14, 2024; Risk Management (Victor Tordesillas, Deputy Executive Officer, 387-8623) on May 16, 2024; Purchasing (Ariel Gill, Supervising Buyer, 387-2070) on May 16, 2024; Finance (Jevin Kaye, Principal Administrative Analyst, 387-3078) on May 17, 2024; and County Finance and Administration (Robert Saldana, Deputy Executive Officer, 387-5423) on May 23, 2024.

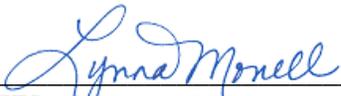
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Record of Action of the Board of Supervisors
San Bernardino County

APPROVED (CONSENT CALENDAR)

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

Lynna Monell, CLERK OF THE BOARD

BY 
DATED: June 11, 2024



cc: Probation - Drury w/agrees
Contractor - c/o Probation w/agree
File - w/agree
CCM 06/26/2024