



# Monterey County

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## Board Report

Legistar File Number: 18-422

April 24, 2018

**Introduced:** 4/11/2018

**Current Status:** Consent Agenda

**Version:** 1

**Matter Type:** General Agenda Item

Acting as Chief Elected Official, concur in the Workforce Development Board's delegation of contracting authority to the Executive Director to sign WIOA and non-WIOA funded contracts, subject to a \$45,000 cap, prior County Counsel review, and other limitations

### RECOMMENDATION:

It is recommended that the Board of Supervisors:

Acting as Chief Elected Official, concur in the Workforce Development Board's delegation of contracting authority to the Executive Director to sign WIOA and non-WIOA funded contracts, subject to a \$45,000 cap, prior County Counsel review and other limitations.

### DISCUSSION:

#### **Current Contracting Process**

At present, the Executive Director of the Workforce Development Board (the WDB) identifies vendors who provide administrative support of workforce programs. Examples include online job readiness assessment, provision of labor market data, short term (1 or 2 days) leases of premises for job fairs, and utilizing consultants to advise on limited, discrete issues. Many such contracts are for less than \$45,000 and often total significantly less.

When the Executive Director reaches agreement with the vendor, he or she recommends approval of the contract to the WDB Executive Committee. The Executive Committee considers whether to recommend that the WDB enter into the contract and, assuming agreement, does so at the next full WDB meeting. Concurrence of the Chief Elected Official of the Monterey County local workforce area is then requested at the next available Board of Supervisors' meeting.

This process takes significant time. The Executive Director will generally bring a contract to the Executive Committee as soon as possible, within a month, after securing a vendor. Because the full WDB meets every other month, a wait of another month or more for the WDB to consider a contract is typical. Thereafter, securing a place on the Board of Supervisor's agenda is subject to preliminary internal approvals from County Counsel, the County Budget Office, and the Assistant County Administrative Officer.

#### **Delegation of Contracting Authority and Limitations:**

To enhance rapid and effective deployment of services to both WIOA and non-WIOA program participants, at its meeting of April 4, 2018, the WDB authorized the Executive Director to sign contracts which are modest in amount, ministerial in nature, and limited in duration. The Assistant County Administrative Officer considered and concurs with this delegation.

The contracting authority delegated to the Executive Director by the WDB is limited to agreements that are no more than \$45,000 in total value. It is limited to agreements of one year in duration, with a maximum of three extensions of one-year each permitted, so long as the \$45,000 cap is not exceeded. The WDB requires the Executive Director to seek legal review from the Office of County Counsel before he or she signs any contract. The WDB directs the Executive Director to report regularly on contracts executed pursuant to delegated authority to both the WDB Executive Committee and to the full WDB. The WDB may revoke the Executive Director's contracting authority any time, in its sole discretion.

The Executive Director's contracting authority is intended to apply to ministerial, support contracts. It is not intended to encompass contracts with providers that must be competitively procured pursuant to WIOA requirements (for example, Youth program providers) or providers that must be competitively procured pursuant to State Employment Development Department directives (for example, Adult and Dislocated Worker program providers).

The Executive Director's contracting authority does not encompass contracts that, irrespective of amount or duration, carry significant policy implications or involve controversy. The WDB specified that the Executive Director must follow ordinary contracting processes when an agreement raises broad policy concerns, sets new precedent, or is otherwise a matter best reviewed at all levels of WIOA and non-WIOA program administration.

#### **Benefits**

The WDB anticipates that the contracting authority delegated to the WDB Executive Director will yield administrative efficiencies and cost savings. This is particularly true because the Monterey County WDB is the fiscal agent for the WIOA Coastal Region, comprised of the Workforce Development Boards of Santa Cruz, Monterey, San Luis Obispo and Santa Barbara counties. In that role, it will be executing a variety of agreements for the Coastal Region with a multitude of providers, many of which are ministerial, of short duration, and for less than \$45,000. The contracting authority delegated to the Executive Director is expected to significantly streamline management of regional workforce projects and contracts

#### **OTHER AGENCY INVOLVEMENT:**

The Workforce Development Board delegated limited contracting authority to the Executive Director on April 4, 2018. County Counsel has reviewed the delegation of contracting authority as to form.

#### **FINANCING:**

There is no financial impact to the County General Fund if the Board, acting as Chief Elected Official, concurs in the WDB's delegation of contracting authority. With respect to future contracts, Workforce Innovation and Opportunity Act (WIOA) grant funds, or other non-WIOA program funds, will be used and budgeted in Fund 021, Appropriations Unit CAO030, Unit 8478.

**BOARD OF SUPERVISORS STRATEGIC INITIATIVES:**

Concurrence in streamlining the WDB's contracting process will enhance the efficient delivery of workforce services and further local economic development.

- √ Economic Development - Through collaboration, strengthen economic development to ensure a diversified and health economy.
- √ Administration - Promote an organization that practices efficient and effective resource management and is recognized for responsiveness, strong customer orientation, accountability and transparency

Prepared by:

Approved by:

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**ATTACHMENTS:**

Delegation of Contracting Authority to the Executive Director of the Monterey County Workforce Development Board