

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



**ITEM
3.5
(ID # 7149)**

MEETING DATE:
Tuesday, June 12, 2018

FROM : EXECUTIVE OFFICE:

SUBJECT: EXECUTIVE OFFICE: Approve and Execute Amendments No. 7 to the Agreement with Riverside County Bar Association, Inc. and Chapman University for Dispute Resolution Services [All Districts]; [\$140,000 Total]; Source of Funds - Dispute Resolution Fee Account - 100%

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve Amendment No. 7 for the Agreement with Riverside County Bar Association, Inc. for Dispute Resolution Program services to extend the agreement to December 31, 2018 in the maximum annual aggregate amount of \$90,000 (FY 18/19), and authorize the Chairman of the Board of Supervisors to execute the Amendment No. 7 to the Agreement on behalf of the County;
2. Approve Amendment No. 7 for the Agreement with Chapman University School of Law for Dispute Resolution Program services to extend the agreement to December 31, 2018 in the maximum annual aggregate amount of \$50,000 (FY18/19), and authorize the Chairman of the Board of Supervisors to execute the Amendment No. 7 to the Agreement on behalf of the County; and;
3. Authorize the Purchasing Agent, in accordance with Ordinance No. 459, based on the availability of fiscal funding and as approved by County Counsel to sign amendments that do not change the substantive terms of the original Agreement.

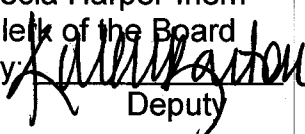
ACTION: Policy


Melissa Noone, Associate Management Analyst 6/5/2018

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Tavaglione, seconded by Supervisor Perez and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Tavaglione, Washington, Perez and Ashley
Nays: None
Absent: None
Date: June 12, 2018
xc: EO, Purchasing

Kecia Harper-Ihem
Clerk of the Board
By: 
Deputy

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
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FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$	\$ 140,000	\$140,000	\$
NET COUNTY COST	\$	\$	\$	\$
SOURCE OF FUNDS: Dispute Resolution Fees			Budget Adjustment:	No
			For Fiscal Year:	18/19

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

The Dispute Resolution Programs Act of 1986 (codified at California Business and Professions Code sections 465-471.5; referred to herein as the "Act") provides for the local establishment and funding of informal dispute resolution programs. The goal of the Act is the creation of a statewide system of locally funded programs, which will provide dispute resolution services (primarily conciliation and mediation) to County residents. These services assist in resolving problems informally and function as alternatives to more formal court proceedings.

Additional Fiscal Information

Counties choosing to offer these services to their residents are authorized to allocate up to \$8 from filing fees in superior, municipal, and justice court actions to generate new revenues to fund a local program of informal dispute resolution. The Riverside County Board of Supervisors increased civil filing fees by \$8 on December 16, 2008 (item 3.3) to establish and maintain the Dispute Resolution Program Fee Account. These fees are reflected in Amendments No. 7. The total cost is \$140,000 and will be funded entirely by the Dispute Resolution Program Fee.

Contract History and Price Reasonableness

The County of Riverside has two current agreements with Riverside County Bar Association, Inc. and Chapman University to provide services for the Dispute Resolution Program (the "Agreements"), a program that is overseen by the Executive Office. The current agreements were awarded through a Request for Proposal (RFP EOARC-027) in 2013 and approved by the Board on June 25, 2013 (Item 3-3), and are set to expire on June 30, 2018. The Executive Office is proposing a six-month extension, while a new bid is conducted.

On October 1, 2013, the Agreements were amended by Amendment No. 1 to reduce the compensation for Riverside County Bar Association, Inc. from \$250,000 to \$180,000 annually and Chapman University from \$258,061 to \$100,000 annually. Reductions were based on the budget for the Dispute Resolution Fee Account. Budget update was approved with the Executive Office that provides oversight of the program.

On July 1, 2014, Amendment No. 2 extended the period of performance to June 30, 2015 for both agreements.

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Effective November 1, 2014, Amendments No. 3 amended Exhibit A, Scope of Work, to extend the services to the Probation Department.

Effective July 1, 2015, Amendments No. 4 extended the period of performance to June 30, 2016 for both Agreements.

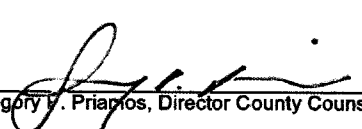

Effective July 1, 2016, Amendments No. 5 extended the period of performance to June 30, 2017 for both Agreements.

Effective July 1, 2017, Amendments No. 6 extended the period of performance to June 30, 2018 for both Agreements.

Amendments No. 7 will extend the period of performance to December 31, 2018. Chapman University and the Riverside County Bar Association, Inc. agree to maintain the current payment terms for the six-month extension, with maximum annual aggregate amounts of \$50,000 and \$90,000, respectively.

Impact on Residents and Businesses

N/A

 _____ Gregory V. Priamos, Director County Counsel	6/5/2018	 _____ Alex Gann	6/5/2018
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 _____ Tina Grande, Assistant Purchasing Director	6/4/2018	 _____ Gregory V. Priamos, Director County Counsel	6/5/2018
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 _____ Susanna Oh, Deputy County Counsel	6/4/2018
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COUNTY OF RIVERSIDE
AMENDMENT NO.7 TO THE AGREEMENT
WITH
CHAPMAN UNIVERSITY

Original Contract Term:	July 1, 2013 through June 30, 2018
Contract Term Extended To:	July 1, 2018 through December 31, 2018
Effective Date of Amendment:	July 1, 2018
Original Annual Maximum Contract Amount:	\$100,000 (FY17/18)
Amended Annual Maximum Contract Amount:	\$50,000 (FY18/19)
Contract ID:	EOARC-96105-001-06/14

This Amendment No. 7 to the Agreement for Dispute Resolution Program Services is entered into by and between the County of Riverside, a political subdivision of the State of California (COUNTY), and Chapman University, a California non-profit corporation (CONTRACTOR), effective July 1, 2018.

RECITALS

WHEREAS, on June 25, 2013, COUNTY and CONTRACTOR entered into an agreement for CONTRACTOR to provide Dispute Resolution Program services to residents of COUNTY (the "Agreement"), which included a total of four (4) one-year renewal options;

WHEREAS, COUNTY and CONTRACTOR have exercised all renewal options and the Agreement is set to expire on June 30, 2018; and

WHEREAS, COUNTY and CONTRACTOR desire to amend the Agreement to extend the term of the Agreement;


NOW THEREFORE, for good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, COUNTY and CONTRACTOR agree as follows:

1. The above recitals are true and correct.
2. Section 2.1 of the Agreement ("Period of Performance") is hereby replaced in its entirety with the following: This Agreement shall be effective beginning July 1, 2018 and shall expire on December 31, 2018."
3. Section 3.1 of the Agreement ("Compensation") is hereby replaced in its entirety with the following: "The COUNTY shall pay the CONTRACTOR for services performed, products provided and expenses incurred in accordance with the terms of the Agreement. The total aggregate payment amount by COUNTY to CONTRACTOR shall not exceed fifty thousand dollars (\$50,000).
4. All other terms and conditions of the Agreement not modified herein shall remain unchanged.

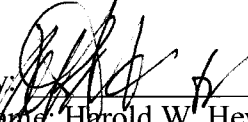
COUNTY OF RIVERSIDE
AMENDMENT NO.7 TO THE AGREEMENT
WITH
CHAPMAN UNIVERSITY

IN WITNESS WHEREOF, the Parties hereto have caused their duly authorized representatives to execute this Amendment.

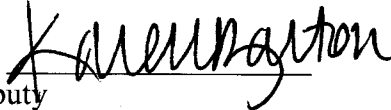
COUNTY OF RIVERSIDE, a political
subdivision of the State of California

By: 
Name: CHUCK WASHINGTON
Title: CHAIRMAN, BOARD OF SUPERVISORS
Dated: JUN 12 2018


CHAPMAN UNIVERSITY, a California
non-profit corporation

By: 
Name: Harold W. Hewitt
Title: EVP & COO
Dated: 29/11/18

ATTEST:
Kecia Harper-Ihem
Clerk of the Board

By: 
Deputy

APPROVED AS TO FORM:
Gregory P. Priamos
County Counsel

By: 
Susanna Oh
Deputy County Counsel

COUNTY OF RIVERSIDE
AMENDMENT NO.7 TO THE AGREEMENT
WITH
RIVERSIDE COUNTY BAR ASSOCIATION, INC.

Original Contract Term:	June 25, 2013 through June 30, 2018
Contract Term Extended To:	July 1, 2018 through December 31, 2018
Effective Date of Amendment:	July 1, 2018
Original Annual Maximum Contract Amount:	\$180,000 (FY17/18)
Amended Annual Maximum Contract Amount:	\$90,000 (FY18/19)
Contract ID:	EOARC-96105-002-06/14

This Amendment No. 7 to the Agreement for Dispute Resolution Program Services is entered into by and between the County of Riverside, a political subdivision of the State of California (COUNTY), and the RCBA Dispute Resolutions Services, Inc., a California non-profit corporation (CONTRACTOR), effective July 1, 2018.

RECITALS

WHEREAS, on June 25, 2013, COUNTY and CONTRACTOR entered into an agreement for CONTRACTOR to provide Dispute Resolution Program services to residents of COUNTY (the "Agreement"), which included a total of four (4) one-year renewal options;

WHEREAS, COUNTY and CONTRACTOR have exercised all renewal options and the Agreement is set to expire on June 30, 2018; and

WHEREAS, COUNTY and CONTRACTOR desire to amend the Agreement to extend the term of the Agreement;


NOW THEREFORE, for good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, COUNTY and CONTRACTOR agree as follows:

1. The above recitals are true and correct.
2. Section 2.1 of the Agreement ("Period of Performance") is hereby replaced in its entirety with the following: This Agreement shall be effective beginning July 1, 2018 and shall expire on December 31, 2018."
3. Section 3.1 of the Agreement ("Compensation") is hereby replaced in its entirety with the following: "The COUNTY shall pay the CONTRACTOR for services performed, products provided and expenses incurred in accordance with the terms of the Agreement. The total aggregate payment amount by COUNTY to CONTRACTOR shall not exceed ninety thousand dollars (\$90,000).
4. All other terms and conditions of the Agreement not modified herein shall remain unchanged.


COUNTY OF RIVERSIDE
AMENDMENT NO.7 TO THE AGREEMENT
WITH
RIVERSIDE COUNTY BAR ASSOCIATION, INC.

IN WITNESS WHEREOF, the Parties hereto have caused their duly authorized representatives to execute this Amendment.

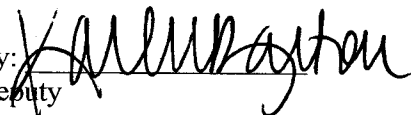
COUNTY OF RIVERSIDE, a political
subdivision of the State of California

By: 
Name: CHUCK WASHINGTON
Title: CHAIRMAN, BOARD OF SUPERVISORS
Dated: JUN 12 2018

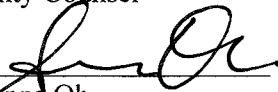
RCBA Dispute Resolution Services,
INC., a California non-profit corporation

By: 
Name: Christopher G. Jensen.
Title: President and Chairman.
Dated: May 29, 2018.

ATTEST:
Kecia Harper-Ihem
Clerk of the Board

By: 
Deputy

APPROVED AS TO FORM:
Gregory P. Priamos
County Counsel

By: 
Susanna Oh
Deputy County Counsel