

PALM BEACH COUNTY CRIMINAL JUSTICE COMMISSION
PROBATION ADVISORY BOARD

Governmental Center, 10th Floor
301 N. Olive Avenue
West Palm Beach, FL 33401

SPECIAL MEETING

February 9, 2011, 12:15 p.m.

MINUTES

Members Present

August Bonavita, Chairman	County Criminal Court Administrative Judge
Rosalyn Baker	Florida Department of Corrections
Virginia Cataldo	US Probation
Daniel Eisinger	Public Defender's Office
Kay Oglesby	Public Defender's Office
Elizabeth Parker	State Attorney's Office
Louis Tomeo	Office of Clerk & Comptroller

Guest Present

Wanda Joiner	Pride Integrated Services, Inc.
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CJC Staff Present

Michael Rodriguez	Executive Director
Candee Villapando	Criminal Justice Analyst

- I. Welcome/Opening Comments.** The meeting started at 12:17 p.m. Chair Bonavita welcomed and especially thanked everyone for coming to this special meeting.
- II. Roll Call and/or Introduction of Members & Guests.** In lieu of a roll call, Chair Bonavita asked members and guests to introduce themselves.
- III. Approval and/or Amendments to the January 12, 2011 minutes.** Ms. Virginia Cataldo noted that there seems to be a sentence missing at the end of the first paragraph on page 4. Chair Bonavita concurred that it seems to be an incomplete sentence. Candee Villapando noted that she will check into it. The draft minutes for the January 12, 2011 meeting were then approved subject to that one clarification. Chair Bonavita requested to have a copy of the revised minutes at the next meeting with the missing information highlighted.
- IV. Approval and/or Amendments to the Agenda.** The agenda was approved without amendments.

V. Old Business

Response to Palm Beach County Office of Inspector General (OIG) Management Review 2010 – 0007: Chair Bonavita noted that this issue is primarily the reason for the special meeting today. He reminded everyone that at the last meeting, the board discussed its response to the OIG's request to give recommendations to the CJC in response to the three specific points made based on the findings of its investigation of Pride's collection and maintenance of restitution payments. He said that the committee developed a response and presented it at a regular PAB meeting. He noted that the members who were present agreed with the recommendations; however, due to the absence of a quorum, as a body the PAB can not make an official recommendation to the CJC. Chair Bonavita reported that he attended the CJC meeting in January and presented a letter on behalf of the PAB indicating its recommendations subject to an official vote by a quorum of the PAB, which the CJC approved. The motion to approve the responses and recommendations as set up in the January 20, 2011 letter was made and seconded.

VI. New Business

A. RFP Update: Before asking Mr. Mike Rodriguez to give the update, Chair Bonavita shared that the RFP process is very new to him but that he is looking forward to working through this process in which the PAB will be an integral part. He also shared his experience about being approached indirectly by a vendor about the RFP process and wanted to clarify PAB's role in the process and the appropriate ways to handle such requests. Ms. Cataldo added that she got a call from a Pride board member wanting to discuss the recent vote concerning the request for increase of the monthly cost of supervision and request her assistance in that area. Chair Bonavita also shared the concerns expressed by Maureen Brickous of Pride about their presence at the meeting as guests and wanted to clarify when they should back out of the meetings as the committee discusses the RFP process. Wanda Joiner further noted about a case wherein an agency participated in the RFP development which excluded the agency from being able to bid. She clarified that they (Pride) are strictly guests in the PAB meetings which are open meetings, and would not comment or participate in the RFP process.

Mr. Rodriguez reported that he has already been in discussion with the head of purchasing, Kathy Scarlet, and Vince Bonvento, Assistant County Administrator over the CJC. He explained three separate things involved in the RFP process: 1) the formal RFP process (Purchasing Department writes the actual requests and oversees the deadlines, advertisements, etc); 2) the new contract and new scope of work which is the biggest role of PAB; and 3) review of the contract and scope of work by our Assistant County Attorney, contracts division, and OFMB (Office of Financial Management and Budget). Mr. Rodriguez remarked that although it is okay for PAB members to talk to vendors at this point, he advises against in just in case it is perceived as something that is inappropriate. But once the RFP is advertised, there will be a formal cone of silence that will be in place and members cannot talk to the vendors directly. He said Purchasing recommended that a CJC staff be a formal contact person for the vendor, for which he volunteered. He said the problem will be if members talk to each other outside the meetings. He also suggested that

the members just refer any questions or individuals or vendors to him that they are uncertain how to handle.

Mr. Rodriguez said that Purchasing recommended having a pre-bid non-mandatory conference to give an opportunity before the RFP is finalized and published to have any vendor come in and ask questions. He also talked about the selection committee which Purchasing recommends to keep small. He said that this might be something the PAB will need to discuss at the next meeting. He said the Mr. Bonvento had suggested Judge Bonavita to be the Chair of the committee, and that it is completely up to the PAB to decide who they want to have on the committee. He mentioned that someone from the OIG can sit in the committee just to make sure that the process is fair and competitive. He adds that it is also not uncommon to have someone with financial expertise to be in the committee, e.g. someone from OFMB, or someone from outside. He reminded everyone that it is completely up to the PAB.

At this point, Chair Bonavita opened the floor for comments or questions. Ms. Joiner wanted to clarify that they (Pride) are allowed to have contact with the PAB as they are still the current provider, but not about anything related to the RFP process. Mr. Rodriguez concurred as the county is still doing business with Pride. But he also brought up the issue about Pride's presence at the PAB meetings as the committee develops the RFP. He said that there are a couple of choices: 1) Pride representatives in attendance can excuse themselves from the meeting when the committee starts discussing the RFP; or 2) as best as they can, try to notify everybody who might be interested (prospective vendors) so that they have the same ability to attend an open PAB meeting and listen in as the committee discusses the contract and scope of work as Pride does.

Ms. Rosalyn Baker asked if we should be concerned about the hand outs and other materials distributed at the meetings that contain a lot of information about the RFP process being available to Pride. Mr. Rodriguez said that they are public information and should not be a problem. Ms. Elizabeth Parker said that her gut makes her nervous that even though Pride is not taking part in the discussions, just by being present at the meetings, it might create an issue for Pride that they might not want; one vendor could take them to court and ask that Pride be excluded because while sitting at a meeting, although technically they did not say anything, they were part of it. Ms. Joiner said that she respects Ms. Parker's opinion, and with this in mind states that they should then leave at that point of the meeting. Chair Bonavita said he understood Ms. Parker's point, that is the safest way and would leave no doubt, but at the same time, it is a public meeting, to which Mr. Rodriguez agreed and said that it will be completely up to Pride.

B. Misdemeanor Probation Services Contract and Statement of Work – Preliminary Recommendations for upcoming Request for Proposal: Mr. Rodriguez asked everyone to please read the documents and email to him or Candee Villapando any changes or recommendations they want to be incorporated, and discuss it at the next meeting. He said that this is a really good opportunity to change whatever they want in the contract and SOW, or include anything else they want to include. Chair Bonavita echoed Mr. Rodriguez point and recognized that with the composition of the committee, everyone is valuable and has a role to give good insights.

Mr. Daniel Eisinger asked about the timeframe for the RFP process. Mr. Rodriguez replied that the current contract expires on the last day of this calendar year. He said that there is no formal designated timeline yet, but explained that the whole process usually takes six months, and that we would like to have the whole process done by September to build in a transition period in the event that a different vendor is selected. He adds that the final SOW should be done by June, at the latest. Ms. Cataldo asked if it is possible to obtain copies of past audits. Mr. Rodriguez advised her that all the reports are available on the CJC website.

VII. Member and Guest Comments

Chair Bonavita clarified that the group will discuss about the selection committee and the RFP process that at the next meeting, which will on be April 13th. He also asked if the 12:15 to 1:15 p.m. time is good for everyone, because he knows typically meetings are from 12:00 to 1:00. Mr. Louis Tomeo expressed that he would prefer 12:00 to 1:00, and everyone agreed to change the meeting time to 12:00 to 1:00 p.m.

Ms. Joiner briefly discussed about their meeting with the Clerk Office staff about looking into ACH transfers.

There was a short discussion about trying to work access to CCIS into the RFP process as Ms. Cataldo remarked that it would be a great resource to the service provider.

Ms. Joiner shared that they are doing a formal report showing the reduction in their expenses, as requested by a CJC member in one of the meetings, and said that a comparison of their 2008/2009 and 2009/2010 expenses showed a decrease of about seven percent in these years.

Mr. Rodriguez noted that there will be a board workshop on March 15th, Tuesday, at 2 p.m. where the recommendations (about Pride restitution payments) will be brought back before the Board of County Commissioners.

VIII. Adjournment

The meeting was adjourned at 12:52 p.m.