



**CONTRA COSTA COUNTY
EMPLOYMENT AND HUMAN SERVICES DEPARTMENT**

Request for Interest (RFI) 730

Grievance Hearing Officer

Contra Costa County Employment and Human Services Department (EHSD), Children and Family Services (CFS) Bureau, announces a **Request for Interest (RFI) 730** seeking qualified applicants for a fee-based contract position in Contra Costa County to serve as a CFS Grievance Hearing Officer. CFS provides child welfare services to Contra Costa County residents through various offices countywide.

I. Statement of Purpose

In order to meet requirements set by the California Department of Social Services (CDSS) in response to a settlement decision reached in the Gomez v. Saenz lawsuit, all California Counties are required as of May 1, 2008, to provide for grievance hearings in Child Welfare Services. The Gomez settlement challenged the integrity of the Child Abuse Central Index (CACI) and provided due process rights for individuals whose names have been submitted for listing on the CACI as a result of a qualifying finding that allegations of child abuse or severe neglect are substantiated. The Gomez settlement allows individuals the opportunity to challenge their name listing on the CACI. As required by law, this challenge must be reviewed by a Grievance Hearing Officer.

This RFI is seeking one (1) qualified candidate to serve as a Grievance Hearing Officer for Contra Costa County Children and Family Services (CFS). Individuals whose names are referred for listing on the California Department of Justice CACI, and were not afforded due process, can request a review and/or hearing to challenge the allegation(s). The CFS Grievance Hearing Officer reviews documentary evidence, presides over the hearing and shall determine, based upon evidence and testimony presented, whether the allegation of abuse or neglect is unfounded, inconclusive, or substantiated as defined by the California Penal Code. Upon conclusion of the hearing, the Grievance Hearing Officer will render a written recommended decision within thirty (30) calendar days of the completion of the grievance hearing. The Grievance Hearing Officer is responsible for meeting guidelines required by CDSS and documented in the then current Child Welfare Services Manual of Policies and Procedures

<https://www.cdss.ca.gov/Portals/9/Regs/cws1.pdf?ver=2019-01-29-130847-963>.

II. Funding

EHSD will award one (1) county standard contract in an amount up to **\$9,700.00** (inclusive of all expenses) to the successful Respondent for the anticipated period of **October 1, 2021 – September 30, 2022** (twelve months), with a possibility of renewal based on contractor performance, availability of funds, and service need. The funding



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source is a combination of Federal, State, and County sources.

For individuals responding (Respondents), this is a fee-for-service contract paid per hearing and is inclusive of all expenses. The contract estimates no more than eight (8) hearings during the term of the contract with no guarantee of hearings being sent nor requested. The anticipated fee-for-service fee structure is as follows:

- \$1,100.00 per hearing, inclusive of all travel and business expenses.
- \$300 per day for each day a hearing extends beyond one day, inclusive of all travel and business expenses.
- \$300 for a hearing that is cancelled due to a no show by the Client.

III. Scope of Services

The selected candidate will be responsible for the following:

- Deliver CFS Grievance Hearing Officer services in compliance with CDSS Child Welfare Manual of Policies and Procedures guidelines for complaint investigations where an individual has been reported for substantiated child abuse or neglect and requesting a hearing to remove their name from the Child Abuse Central Index (CACI).
- Coordinate with CFS Staff to schedule the Grievance Hearing within ten (10) business days and held no later than sixty (60) calendar days from the date the request for grievance is received by the county.
- Preside over the grievance hearing to review evidence and hear testimony presented by the county and the complainant (hearing participation may include legal representation, family, witnesses, etc... in addition to the complainant).
- Deliver a decision based upon evidentiary documentation and testimony presented at the grievance hearing, whether the allegation of child abuse and/or severe neglect is substantiated as defined by the Penal Code Section 11165.12.
- Render and prepare a written recommended decision within thirty (30) calendar days of the completion of the grievance hearing, which includes a summary statement of facts, the issues involved, findings, and the basis for the decision.
- The ability to provide an objective, thorough, fair and impartial review and hearing.
- The ability to conduct hearings in person at EHSD designated offices, or virtually (if/as needed and upon approval).
- Prepare and provide timely response and documentation for all activities associated with the position, including but not limited to tracking documentation, written reports, scheduling meetings, hearing coordination and demand submission.



IV. Minimum Qualifications

Responses that do not demonstrate the Respondent's capacity to meet the minimum qualifications, licenses, and experience below will be considered non-responsive and will not move forward for contract consideration.

Education: Possession of a master's degree preferred from an accredited college or university with a major in either a) law; b) social work, counseling or psychology.

Current or Retired Attorney, specializing in California Child Welfare required.

Experience: Ideal candidate will have five (5) to eight (8) years (or more) of legal/attorney experience specializing and well versed in the California Child Welfare arena.

The Grievance Hearing Officer, per mandate, must be a party removed from the assessing social worker's chain of command or any person in the investigation of the action/finding.

V. License Requirements

Valid Class C California Driver's License.

Current practicing Attorney's must have an active license with the State Bar of California and be in good standing. Retired Attorney's must have practiced with a license issued by the State Bar of California and retired in good standing.

VI. Insurance Requirements

Automobile liability insurance and professional liability insurance are required.

VII. Experience and Skills Required

Ideal candidate will be a current or retired Attorney and have five (5) to eight (8) years (or more) of legal/attorney experience specializing in the California Child Welfare arena.

Candidate must have demonstrated familiarity and knowledge of current child welfare practices, CACI and with Penal Code Sections 11165 through 11167.

Candidate must have the ability to facilitate a hearing and conduct such hearing in a non-adversarial environment.

Candidate must be comfortable with public speaking.



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Candidate must possess strong collaboration skills, able to collaborate with internal and external partners.

Candidate must be detail-oriented and able to meet deadlines.

Candidate must possess strong oral and written communication skills.

Candidate must have the ability to assess complex information, apply legal parameters and provide objective decision making.

Candidate must be able to be impartial, fair, objective and thorough.

Candidate must have the ability to produce clear, succinct and timely written assessments.

VIII. Fiscal Requirements

Interested Respondents must submit a written narrative that demonstrates they possess the following:

- A. Adequate financial resources or the ability to obtain such resources during the performance of the contract to deliver services timely specified in the Scope of Services above.
- B. An adequate accounting system and/or application in place to properly account for the funds and to segregate expenses by funding source.

IX. Review and Selection Criteria

The submissions will be evaluated by Department Staff to identify the most qualified respondent. If more than one Respondent is deemed to be highly qualified, the Department may require oral interviews and/or supplemental information from those Respondents before making a final selection.

Contract negotiations will begin upon identification of the most qualified Respondent. If a satisfactory contract cannot be negotiated in a reasonable timeframe, EHSD, in its sole discretion, may terminate negotiations with the awarded Respondent and begin Contract negotiations with another qualified Respondent.



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Respondents will be scored on the following criteria:

Points	Item
25	Letter of Interest (Qualifications Statement) describing interest in providing the services and relevant experience and abilities described in this RFI.
35	Job description, resume(s) of experience, required qualification(s), and other factors relevant to the services described in this RFI.
25	Provide two (2) written materials examples, which exemplify the quality and relevance of Respondents' successful writing samples.
10	Provide three (3) letters of verifiable professional references, including name, business, phone and email address.
5	Fiscal Narrative to meet Fiscal Requirements
100	Total Points

X. Submission Requirements

Interested parties must submit all of the following documentation to be considered as a Respondent for this RFI:

1. A Letter of Interest (Qualifications Statement) describing interest in the position and relevant experience and abilities.
2. Current resume(s) with Respondents' email address and phone number, which includes experience, qualifications, licenses and other factors relevant to the services described in this RFI.
3. Three (3) professional/business references.
4. Two (2) examples of Respondent's successful writing materials/sample relevant to the position herein.



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5. Fiscal Narrative to confirm and demonstrate the Respondent's possession of the following:
 - a. Adequate financial resources or the ability to obtain such resources during the performance of the contract to ensure timely delivery of services specified above.
 - b. Adequate accounting system or application in place that will properly account for the funds and segregate expenses by funding source.

Interested parties must submit complete proposals including all documentation above, along with the Respondent's email address and contact phone number to:

Contra Costa County – Employment and Human Services Department
Contracts Unit, Attention: RFI #730
40 Douglas Drive
Martinez, CA 94553
Telephone: (925) 608-4969
Email: contractbid@ehsd.cccounty.us
Website: www.ehsd.org/rfi

Submissions may be sent **via postal mail or e-mail only**. For email, attachments must be in MS Word, MS Excel, and/or pdf file format.

Responses must be received no later than 5:00 p.m. Friday, July 9, 2021. Please note that responses will not be returned, and late deliveries will **NOT** be accepted.

XI. Restriction and Disclosure

Any information deemed confidential or proprietary by the Respondent must be clearly marked and identified by the Respondent as such and include an explanation of why such information is exempt from disclosure under applicable law. Such clearly marked and identified confidential or proprietary information will be protected and treated with confidentiality only to the extent permitted by law. Information not protected from disclosure by law will be considered a public record.

Proposals will be received, maintained, and may be disclosed to the public consistent with the California Public Records Act (PRA) and the Freedom of Information Act. Proposals will be exempt from disclosure until the evaluation and selection process has been completed. Respondents should be aware that EHSD is required by law to make its records available for public inspection and copying, with certain exceptions. (See



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California Public Records Act, California Government Code Section 6250 et seq. and the Freedom of Information Act - 5 U.S.C. Sec. 552).

EHSD will not notify Respondent of requests for release of information or that EHSD released data unless EHSD receives a request for information previously marked and identified by the Respondent as confidential or proprietary. If EHSD receives a request for release of such previously marked and identified confidential or proprietary information, EHSD will notify the Respondent of such request to allow the Respondent to challenge such request consistent with applicable law.

The County reserves the right to reject any proposal and negotiate any terms that best serves the County. All proposals become the property of the County, without obligation to the Respondent. The RFI process may be cancelled at any time without written notice.

Only Respondents submitting a proposal in accordance with RFI 730 may appeal the RFI process. Appeals must be submitted in writing. The appeal request must clearly state the area(s) of contention, how the individual/organization was damaged, and actions sought.

Appeals must be submitted and addressed as follows:

Contra Costa County
Employment and Human Services Department
Attention: EHSD Director
40 Douglas Drive
Martinez, CA 94553

Appeals must be received within ten (10) business days from the date of the award/denial letter. Notification of a final decision on the appeal shall be made in writing to the Respondent.