

Sonoma County Public Infrastructure

Johannes J. Hoevertsz, Director

Monique Chapman, Deputy Director – Administration
Michelle Ling, Deputy Director – Facilities Development & Management
Trish Pisenti, Deputy Director – Transportation, Operations & Fleet
Janice Thompson, Deputy Director – Engineering & Maintenance



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READ AND CONSIDERED

DATE 8/21/24 BY [Signature]

August 14, 2024

Honorable Shelly J. Averill, Presiding Judge
Superior Court of California
County of Sonoma
600 Administration Drive
Santa Rosa, CA 95403

RE: Required Responses to the 2023-2024

Dear Judge Averill,

Pursuant to Penal Code sections 933 and 933.05, attached is Public Infrastructure's response to the Grand Jury Final Report on "Often Reported, Never Repaired".

Sincerely,

Johannes J. Hoevertsz
Director

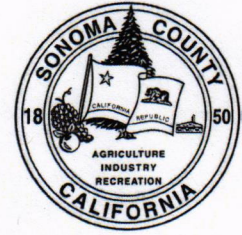
cc: Board of Supervisors
Christina Rivera, County Executive Officer
Deva Proto, County Clerk-Recorder-Assessor-Registrar of Voters
Attachment: Response



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DEPARTMENT GRAND JURY REPORT RESPONSES

Report Title: Often Reported, Never Repaired
Report Date: June 17, 2024
Response by: Johannes Hoevertsz Title: Director
Agency/Department Name: Department of Public Infrastructure/Purchasing

FINDINGS ASSOCIATED WITH REQUIRED RESPONSES:

- F3. Chronic short staffing and employee turnover have led to a significant loss of institutional knowledge.
- F4. Inadequate delegation of authority and a toxic work culture inhibits individual decision-making and contributes to DHS's failure to perform effectively.
- F5. DHS Fiscal and County general accounting process doesn't require or retain all information needed for post-fact analysis of who is being paid, whether the payment was the result of a no-bid contract, or whether payment documentation matches funding source requirements.
- F6. County Purchasing and Internal Audit failed to require that DHS follow mandated procurement policies.

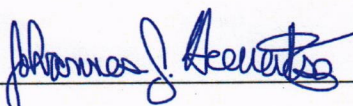
I (we) disagree wholly or partially with the findings numbered: F3, F4, F5, F6 (See attached.)

RECOMMENDATIONS REQUIRED RESPONSES:

- R4. By January 1, 2025, County Purchasing and the County Controller shall implement a system that ensures all no-bid and sole-sourced contracts are identified, accounted for as such, publicly reported, and have required supporting documentation and waivers on file. (F3, F4, F5, F6)

Recommendations numbered: R4 have not yet been implemented but will be implemented in the future. (See attached.)

Date: 8-14-2024

Signed: 

Number of pages attached: 2

Response to 2023-24 Grand Jury Report: Often Reported Never Repaired

Following is Sonoma Public Infrastructure/Purchasing (SPI) required responses to the 2024 Grand Jury Report investigation titled "Often Reported Never Repaired."

Findings

F3. Chronic short staffing and employee turnover have led to a significant loss of institutional knowledge.

We disagree wholly or partially with this finding.

SPI agrees generally that short staffing and employee turnover can lead to loss of institutional knowledge however SPI does not track this information.

F4. Inadequate delegation of authority and a toxic work culture inhibits individual decision-making and contributes to DHS's failure to perform effectively.

We disagree wholly or partially with this finding.

SPI does not track this information.

F5. DHS Fiscal and County general accounting process doesn't require or retain all information needed for post-fact analysis of who is being paid, whether the payment was the result of a no-bid contract, or whether payment documentation matches funding source requirements.

We disagree wholly or partially with this finding.

This is an overly broad statement with very vague language. The County, and particularly the Department of Health Services, is a highly regulated agency where federal and state funding sources require this information. All information used in federal and state funding is retained pursuant to retention schedules.

F6. County Purchasing and Internal Audit failed to require that DHS follow mandated procurement policies.

We disagree wholly or partially with this finding.

While SPI has developed templates for procurement of goods and services that are generally applicable County-wide, these policies do not displace the specialized procedures that certain departments like DHS must follow. Their practices and procedures are designed to address the mandates of federal and state funding sources. As noted, departments may consult SPI staff for guidance and best practices or may elect to conduct their own processes in accordance with established policies.

Recommendations

R4. By January 1, 2025, County Purchasing and the County Controller shall implement a system that ensures all no-bid and sole-sourced contracts are identified, accounted for as such, publicly reported, and have required supporting documentation and waivers on file. (F3, F4, F5 F6)

This recommendation has not been implemented but will in the future.

The SPI Purchasing Division is currently working with the Auditor's Office to implement a step in the County's financial system (EFS) that would require departments to indicate whether they had fully procured a contract or had a single/sole source waiver approved by the Purchasing Agent. This would potentially also create the ability to run reports. Since this change will require evaluation of current system capabilities, it is unknown whether it could be implemented by the recommended 1/1/2025 date. The department will however, work with staff to implement as soon as possible.

The recommendation states that a system shall be implemented ensuring "all no-bid and sole-sourced contracts are identified, accounted for as such, publicly reported, and have required supporting documentation and waivers on file." SPI agrees with this recommendation with the exception of "all no-bid and sole sourced contracts." Delegated authority established by the Board and by policy allow for departments to procure goods and services without as follows: Under Sonoma County Ordinance No. 4654 and the [Sonoma County Procurement of Goods and Equipment Policy](#), County departments may make direct purchases under \$7,000.

Additionally, under the [Sonoma County Service Agreements](#) policy, departments may enter into short form agreements (\$5,000) and under. Alternatively, they may conduct an RFP or request a Single/Source waiver. Therefore, documentation and waivers would not be tracked and reported for these instances. It should also be noted that this information would not include contracts for services that are expressly exempt from competitive bidding requirements, such as architectural services, engineering services, and outside legal services.

Is important to note that State law exempts these types of services from competitive solicitation because the County is required to select the desired provider based on their special training and experience, not based on cost. For these types of services, the County only solicits requests for qualifications or requests for proposals