



CONTRA COSTA COUNTY OFFICE OF THE SHERIFF
DAVID O. LIVINGSTON
SHERIFF – CORONER

September 6, 2017

VIA EMAIL

Mr. David Twa
Contra Costa County Administrator
651 Pine Street, 10th Floor
Martinez, CA 94553

Dear Mr. Twa:

The Office of Reentry & Justice (ORJ) has publicly announced its recommendation of a contract award for the West County Reentry Resource Center to Rubicon Programs, Inc. (Rubicon) in the amount of \$408,740, and has submitted this matter for Board approval at its September 12, 2017 meeting. As a member of the Community Corrections Partnership (CCP), I have reviewed the proposal submitted by Rubicon as well as the competing proposal filed by Mental Health Systems, Inc.

Based upon my review, I have a number of reservations I believe require further examination before this matter can properly go forward to the Board. I am respectfully requesting that this item not be scheduled for Board consideration until these issues (and others that I am prepared to discuss with you) can be reviewed and resolved. I am hoping that could occur relatively soon.

At the outset, I note that although this award is advertised as a nine-month contract with a \$408,740 price tag, the RFQ provides that the award “will include the possibility of two (2) additional one year renewal terms.” Thus, the reality is that we are likely dealing with a two-year and nine-month contract with an actual contractual cost of \$2,870,750.

On Rubicon Programs’ website, they state that their services placed 657 individuals into jobs in 2016. It shows total 2016 expenditures of \$18,350,893. Thus, if their primary activity is job placement, then each placement cost about \$28,000. Interestingly, there is a commonly-owned company called Rubicon Landscaping. In its 153-page submission, Rubicon shows two line items for its Landscaping services within its financial submissions. This was the only hint that Rubicon has another business enterprise, and it appears that this is no minor endeavor, as the landscaping business actually earns the majority of Rubicon’s revenues. The question is obviously raised, how many of the 657 placements that Rubicon celebrates are actually placements into low-level gardening positions working for Rubicon themselves? Will the public funds from the County be used to place gardeners into Rubicon’s own enterprise? If this is the case, and that will not be known without a proper inquiry, would this constitute possible self-dealing at County expense?

Another interesting fact revealed on Rubicon Program's website is that only 49% of its revenues were expended on programs. (The other 51% went to Businesses, Administration and Fundraising.)

Rubicon's application is mostly filled with non-specific comment and stylized sociological jargon, without really saying anything other than unsubstantiated self-praise. Unfortunately, you'll be hard pressed to find any clear statement of deliverables. The following statement from Rubicon's submission is fairly typical of its proposal: "Actively embracing diversity, bridging differences, and fostering client-focused approaches are fundamental clinical principles for management, staff, and participants alike at Rubicon Programs, which has a long and well-documented history of designing and providing inclusive, welcoming, culturally competent, and client-centered services to meet the specific needs of multiple marginalized and intersectional populations." For all of Rubicon's verbiage and exhibits, there's hardly anything on deliverables and there's really no substantiation for its asserted certain success of the proposed Center.

Of equal concern is that Rubicon's proposal would use the County award to pay several employees (both full-time and part-time). The County contract would, for instance, pay 100% of the wages of Center Director Nicholas Alexander at \$96,000 per year (as well as \$40,000 for "4 Change Facilitators for two Alpha Cohorts"). Several of the named individuals (including Mr. Alexander) are already on Rubicon's payroll. Rubicon is the beneficiary of numerous grants and contracts. Whether any of these people are being charged to more than one grant or contract cannot be discerned upon review of the application.

Out of an abundance of fairness, I believe this item should go back to the CCP for further review as it is unfortunate that the CCP has been locked out of this process. ORJ wrote and issued the RFQ, received and reviewed the responses, empaneled the Review Panel, and will present their selection (Rubicon) to the Board of Supervisors. This process excludes the CCP from its statutory role to advise the Board with respect to reentry matters. Assuredly, a contract to operate the West County Reentry Resource Center is a reentry matter, and prior to any Board action, the CCP must be able to review the two proposals and advise the Board on which, if either, should be accepted.

Sincerely,



DAVID O. LIVINGSTON
Sheriff – Coroner

DOL:sl

cc: Board of Supervisors
Todd Billeci, Chair, Community Corrections Partnership