



Fulton County Board of Commissioners
Agenda Item Summary

19-1104

BOC Meeting Date
12/18/2019

Requesting Agency

Diversity and Civil Rights Compliance

Commission Districts Affected

All Districts

Requested Action *(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)*

Request approval to renew existing contract – Diversity and Civil Rights Compliance (DCRC) - 18RFP003B-BR, Sign Language Interpreter Services in the amount of \$70,000.00 with Latin American Translators Network (LATN) Inc., (Atlanta, GA) to provide qualified sign language interpreter and effective communication services. This action exercises the second of two renewal options. No renewal options remain. Effective dates: January 1, 2020 through December 31, 2020.

Requirement for Board Action *(Cite specific Board policy, statute or code requirement)*

In accordance with Purchasing Code Section 102-394(6), the Purchasing Department shall present all renewal requests to the Board of Commissioners at least 90 days prior to the contract renewal date, 60 days if the contract term is six (6) months or less.

Is this Item related to a Strategic Priority Area? *(If yes, note strategic priority area below)*

Yes All People trust government is efficient, effective, and fiscally sound

Is this a purchasing item?

Yes

Summary & Background

(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)

Scope of Work: The DCRC requests approval to renew existing contract to provide qualified sign language interpreting services and effective communications for Fulton County sponsored events. The vendor will provide all personnel to perform sign language interpreter services and must maintain certification as an organization with the National Registry of Interpreters for the Deaf (RID). Fulton County is required under Title I and Title II of the Americans with Disabilities Act as amended to ensure that all services, programs and benefits are accessible to persons with disabilities. If this renewal request is not approved, Fulton County would not be in compliance with the Americans with Disabilities Act, and would risk legal exposure and sanctions, including loss of federal funds. The County spent \$39,174 as of September 20, 2019.

Community Impact: The present request continues to ensure that federally mandated ADA Program Access effective communication requirements and considerations are implemented by programs at the point of service Countywide

Department Recommendation: The DCRC seeks approval to renew a contract for sign language interpreting consultant services from Latin American Translators Network

Agency Director Approval		County Manager's Approval
Typed Name and Title Felicia Strong-Whitaker, Director	Phone (404) 612-5800	
Signature	Date	

Revised 03/12/09 (Previous versions are obsolete)

Project Implications: Failure to approve the renewal could result in Fulton County not being compliant with Title II of the Americans with Disabilities Act, risking legal exposure and sanctions, including loss of federal funds.

Community Issues/Concerns: None

Department Issues/Concerns: Approval of this renewal is being sought in order to ensure the County continues to comply with federal law (e.g. Americans with Disabilities Act as amended) which requires all state and local governments, public accommodations, private sector entities, and educational systems to provide effective communications in order to meet accessibility requirements.

History of BOC Agenda Item: Yes,

CURRENT CONTRACT HISTORY	BOC ITEM	DATE	DOLLAR AMOUNT
Original Award Amount	18-0377	6/06/18	\$70,000.00
Renewal #1	18-0792	11/7/2018	\$70,000.00
Renewal #2			\$70,000.00
Total Revised Amount			\$210,000.00

Contract & Compliance Information	(Provide Contractor and Subcontractor details.)

Contract Value: \$70,000
Prime Vendor: Latin American Translators Network
Prime Status: Hispanic Female Business Enterprise- Non-Certified
Location: Atlanta, GA
County: Fulton County
Prime Value: \$70,000.00 or 100.00%

Total Contract Value: \$70,000.00 or 100.00%
Total M/FBE Value: \$70,000.00 or 100.00%

Solicitation Information	NON-MFBE	MBE	FBE	TOTAL
No. Bid Notices Sent:				
No. Bids Received:				
Total Contract Value	\$70,000.00 or 100.00%			
Total M/FBE Values	\$70,000.00 or 100.00%			
Total Prime Value	\$70,000.00 or 100.00%			
Fiscal Impact / Funding Source <i>(Include projected cost, approved budget amount and account number, source of funds, and any future funding requirements.)</i> 100-186-1802-1162 – General, Diversity and Civil Rights Compliance, ADA, Interpreter/Translator Services - \$70,000.00 (contingent on BOC funding)				
Exhibits Attached <i>(Provide copies of originals, number exhibits consecutively, and label all exhibits in the upper right corner.)</i> Exhibit 1: Contract Renewal Agreement Form. Exhibit 2: Contract Renewal Evaluation Form Exhibit 3: Contractors Performance Report				
Source of Additional Information <i>(Type Name, Title, Agency and Phone)</i> Niger Thomas, Director, Diversity and Civil Rights Compliance, 404-612-0960				

Agency Director Approval		County Manager's Approval
Typed Name and Title Felicia Strong-Whitaker, Director	Phone (404) 612-5800	
Signature	Date	

Revised 03/12/09 (Previous versions are obsolete)

Procurement

Contract Attached: No	Previous Contracts: Yes		
Solicitation Number: #18RFP003B-BR	Submitting Agency: Diversity and Civil Rights Compliance	Staff Contact: Niger Thomas	Contact Phone: 404-612-0960

Description: to provide qualified sign language interpreter and effective communication services.

FINANCIAL SUMMARY

Total Contract Value:		MBE/FBE Participation:	
Original Approved Amount:	\$70,000.00	Amount: .	%: .
Previous Adjustments:	\$70,000.00.	Amount: .	%: .
This Request:	\$70,000.00	Amount: .	\$70,000 or 100.00%: .
TOTAL:	\$210,000.00	Amount: .	%: .

Grant Information Summary:

Amount Requested: .	<input type="checkbox"/>	Cash
Match Required: .	<input type="checkbox"/>	In-Kind
Start Date: .	<input type="checkbox"/>	Approval to Award
End Date: .	<input type="checkbox"/>	Apply & Accept
Match Account \$: .		

Funding Line 1: 100-186-1802-1162	Funding Line 2: .	Funding Line 3: .	Funding Line 4: .
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KEY CONTRACT TERMS

Start Date: 1/1/2020	End Date: 12/31/2020
Cost Adjustment: Click here to enter text.	Renewal/Extension Terms: No renewal options remain

ROUTING & APPROVALS

(Do not edit below this line)

X	Originating Department:	Thomas, Niger	Date: 10/25/2019
X	County Attorney:	Martinez, Dominique	Date: 11/22/2019
X	Purchasing/Contract Compliance:	Strong-Whitaker, Felicia	Date: 11/25/2019
X	Finance/Budget Analyst/Grants Admin:	Stewart, Hugh	Date: 10/28/2019
.	Grants Management:	.	Date: .
X	County Manager:	Anderson, Dick	Date: 11/25/2019



DEPARTMENT OF PURCHASING & CONTRACT COMPLIANCE

CONTRACT RENEWAL AGREEMENT

DEPARTMENT: Office of Diversity and Civil Rights Compliance

BID/RFP# NUMBER: 18RFP003B-BR

BID/RFP# TITLE: Sign Language Interpreting Services

ORIGINAL APPROVAL DATE: 6/06/18

RENEWAL PERIOD: FROM: 1/01/2020 **THROUGH:** 12/31/2020

RENEWAL OPTION #: 2 OF 2

NUMBER OF RENEWAL OPTIONS: 2

RENEWAL AMOUNT: \$70,000

COMPANY'S NAME: Latin American Translators Network (LATN) Inc.

ADDRESS: 1720 Peachtree Street, Suite 433

CITY: Atlanta

STATE: Georgia

ZIP: 30309

This Renewal Agreement No. 2 was approved by the Fulton County Board of Commissioners on BOC DATE: **BOC NUMBER:**

SIGNATURES: SEE NEXT PAGE

SIGNATURES:

Vendor agrees to accept the renewal option and abide by the terms and conditions set forth in the contract and specifications for Bid/RFP# 18RFP003B-BR

(Person signing must have signature authority for the company/corporation)

NAME: _____ **(Print)**
(CEO, President, Vice President)

VENDOR'S SIGNATURE: _____ **DATE:** _____

ATTEST:

_____ **NOTARY PUBLIC:** _____

TITLE: _____ **COUNTY:** _____

SEAL (Affix) **MY COMMISSION EXPIRES:** _____

FULTON COUNTY, GEORGIA

_____ **DATE:** _____
ROBERT L. PITTS, CHAIRMAN
FULTON COUNTY BOARD OF COMMISSIONERS

ATTEST:

_____ **DATE:** _____
TONYA R. GRIER
INTERIM DEPUTY CLERK TO THE COMMISSION

SEAL (Affix)

DEPARTMENT AUTHORIZES RENEWAL OPTION ON THE AFOREMENTIONED BID/RFP:

DEPARTMENT HEAD: Niger Thomas

DEPARTMENT HEAD SIGNATURE: _____ **DATE** _____

ITEM#: _____ **RCS:** _____
RECESS MEETING

ITEM#: _____ **RM:** _____
REGULAR MEETING

Contract Renewal Evaluation Form

Date:	October 2, 2019
Department:	OFFICE OF EQUAL EMPLOYMENT OPPORTUNITY (previously) - DCRC
Contract Number:	18RFP003B-BR
Contract Title:	Latin American Translators Network (LATN) Sign Language Interpreting

Instructions:

It is extremely important that every contract be rigidly scrutinized to determine if the contract provides the County with value. Each renewal shall be reviewed and answers provided to determine whether services should be maintained, services/scope reduced, services brought in-house or if the contract should be terminated. Please submit a completed copy of this form with all renewal requests.

1. Describe what efforts were made to reduce the scope and cost of this contract.

- DCRC provides oversight and manages the contract for LATN Inc., utilizing consistent centralized procedures has minimized the need for other County departments to identify qualified sign language interpreters for their departmental needs, specific to clients with communication-related disabilities.
- DCRC manages the scheduling (and cancellation) of emergency requests (less than 24-hours advanced notice) centrally, which in turn has reduced un-necessary costs accrued due to poor notification and planning by County departments.
- DCRC continues to utilize closed captioning services as an alternative to sign language interpreting for televised Board of Commissioners' meetings resulting in a reduction in the cost of this contract.
- DCRC also conducts quarterly performance and service utilization reviews with the contractor to review (vendor) performance.

2. Describe the analysis you made to determine if the current prices for this good or service is reflective of the current market. Check all applicable statements and provide documentation:

☒ **Internet search of pricing for same product or service:**

Date of search:	September 19, 2019
Price found:	\$516.00/hour
Different features / Conditions:	Similar conditions
Percent difference between internet price and renewal price:	12% increase

Explanation / Notes:

Georgia Interpreting Services Inc. bid proposal not awarded. Total cost estimate is the combined hourly cost of SLI services for general, medical and legal qualified interpreters. Combined hourly cost for existing vendor is \$459.00.

☒ **Market Survey of other jurisdictions:**

Date contacted:	Click here to enter a date.
9/23/2019	Cobb County
Date of last purchase:	Click here to enter a date.
	Click here to enter text.
Inflation rate:	n/a
Adjusted price:	n/a
Percent difference between past purchase price and renewal price:	n/a
Are they aware of any new vendors?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Are they aware of a reduction in pricing in this industry?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
How does pricing compare to Fulton County's award contract?	\$198 for 3 types of services = \$261 less/hour

Explanation / Notes:

DCRC conducted a comparison review of two local jurisdictions; Dekalb County and Cobb County. DCRC was informed that County #1 had a budget of \$350,000 but could not pinpoint an hourly rate. This rate included services for both spoken (foreign) translation, as well as sign language interpreting. County #2 stated that their hourly rate was approximately \$66/hour (single service type) but at most, provided services 4 times per month - approximately 6 total hours. Fulton County's monthly average usage is 31 hours per month - 5 times the usage of County #2. It is concerning to think that a vendor who averages 6 hours per month could provide adequate coverage for Fulton County's needs.

☒ **Other (Describe in detail the analysis conducted and the outcome):**

In the event that DCRC is unable to fulfil a service request for the Courts (requires Legal-certified SLI interpreters), the Superior Court Administration has occasionally utilized an external vendor – Translation Station. Their combined hourly cost for general, medical and legal interpreting services is \$590 – a 28% increase over current vendor, LATN.

3. What was the actual expenditure (from the AMS system) spent for this contract for previous fiscal year?

\$30,629.75

4. Does the renewal option include an adjustment for inflation? ☐ Yes ☒ No
(Information can be obtained from CPI index)

Was it part of the initial contract? ☐ Yes ☒ No

Date of last purchase: Click here to enter a date.

Price paid: Click here to enter text.

Inflation rate: Click here to enter text.

Adjusted price:

[Click here to enter text.](#)

Percent difference between past purchase price and renewal price:

[Click here to enter text.](#)**Explanation / Notes:** [Click here to enter text.](#)

5. **Is this a seasonal item or service?** ☐ Yes ☒ No

Technically no, however often the 4th quarter of any given year does have a tendency to be slightly higher.

6. **Has an analysis been conducted to determine if this service can be performed in-house?** ☐ Yes ☒ No **If yes, attach the analysis.**

Sign language interpreting services must be conducted by 'qualified' (RID, Registry of Interpreters for the Deaf) individuals in various types of interpreting (e.g. American Sign Language, or English Sign Language) who can perform this function within professional standards. Often times the need for sign language interpreting requires handling individual confidential information including medical, legal or other personal information. Interpreters must be prepared to provide specialized services within a reasonable timeframe. Further, use of familial members for sign language interpreting is only appropriate on an emergency basis and should otherwise not be considered unless a last resort.

7. **What would be the impact on your department if this contract was not approved?**

Fulton County could potentially face liability for not providing the accessibility services (effective communication -auxiliary aids, and services) as guided by the Americans with Disabilities Act and other related non-discrimination federal statutes.

The Department of Justice could decide an ADA Compliance Review is in order, which could subsequently be followed by a Settlement Agreement. The Department of Justice and/or the client who needed the services could request damages based on failure to effectively communicate.

Fulton County departments would be responsible for coordinating their own sign language interpreting services by qualified vendors; including but not limited to contracts, qualification, scheduling, cost comparisons, and invoicing which could lead to overall costs increase as there would be no overall County oversight.


Nadine E. Oka

September 26, 2019

Prepared by

Date

Niger Thomas

September 27, 2019

Department Head

Date

DEPARTMENT OF PURCHASING & CONTRACT COMPLIANCE

CONTRACTORS PERFORMANCE REPORT
PROFESSIONAL SERVICES

Report Period Start	Report Period End	Contract Period Start	Contract Period End
4/1/2019	9/30/2019	1/1/2019	12/31/2019
PO Number			PO Date
19SC18RFPC03B-BR			4/29/2019
Department	DCRC		
Bid Number	18RFP003B-BR		
Service Commodity	SIGN LANGUAGE INTERPRETING SERVICES		
Contractor	Latin American Translators Network (LATN) (sign language interpreting)		

= Unsatisfactory

Achieves contract requirements less than 50% of the time, not responsive, effective and/or efficient; unacceptable delay, incompetence, high degree of customer dissatisfaction.

= Poor

Achieves contract requirements 70% of the time. Marginally responsive, effective and/or efficient; delays require significant adjustments to programs; key employees marginally capable; customers somewhat satisfied.

= Satisfactory

Achieves contract requirements 80% of the time; generally responsive, effective and/or efficient; delays are excusable and/or results in minor programs adjustments; employees are capable and satisfactorily providing service without intervention; customers indicate satisfaction.

= Good

Achieves contract requirements 90% of the time. Usually responsive; effective and/or efficient; delays have not impact on programs/mission; key employees are highly competent and seldom require guidance; customers are highly satisfied.

= Excellent

Achieves contract requirements 100% of the time. Immediately responsive; highly efficient and/or effective; no delays; key employees are experts and require minimal directions; customers expectations are exceeded.

Quality of Goods/Services (-Specification Compliance - Technical Excellence - Reports/Administration - Personnel Qualification)

- ☐ 0
☐ 1
☐ 2
☒ 3
☐ 4

Comments:

Meets 90% of Quality of Goods/Services
 10% of time: with legal request only 1) Backup interpreter are requested when not needed. 2) Request case history of request when it should be neutral

Timeliness of Performance (-Were Milestones Met Per Contract - Response Time (per agreement, if applicable) - Responsiveness to Direction/Change - On Time Completion Per Contract)

- ☐ 0
☐ 1
☒ 2
☐ 3
☐ 4

Comments:

Meets 80% of Timeliness of Performance
 20% of the Time: 1) Late/no show due to personal mishaps 2) with legal request only LATN have difficulties with filling emergency request.

Business Relations (-Responsiveness to Inquiries - Prompt Problem Notifications)

- ☐ 0
☐ 1

Comments:

19-1104

☐ 4

. Customer Satisfaction (-Met User Quality Expectations - Met Specification - Within Budget - Proper Invoicing - No Substitutions)

☐ 0

Comments:

☐ 1

Meets 90% of Customer Satisfaction.

☐ 2

☒ 3

☐ 4

. Contractors Key Personnel (-Credentials/Experience Appropriate - Effective Supervision/Management - Available as Needed)

☐ 0

Comments:

☐ 1

Meets 100% of Contractors Key Personnel

☐ 2

☐ 3

☒ 4

Overall Performance Rating:

2.8

Would you select/recommend this vendor again?
Check box for Yes. Leave Blank for No)

☒ Yes ☐ No

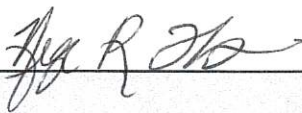
Rating completed by:

gloria.eslick

Department Head Name

Department Head Signature

Date



9/25/2019