



Legislation Details (With Text)

File #: 2021-1352
Type: Consent Calendar Item **Status:** Agenda Ready
File created: 11/12/2021 **In control:** Human Resources
On agenda: 12/14/2021 **Final action:**
Title: Pre-Employment Screening and Background Check Services Agreement
Sponsors: Human Resources
Indexes:
Attachments: 1. Summary Report, 2. Agreement 1-1-2022 to 12-31-2025

| Date | Ver. | Action By | Action | Result |
|------------|------|----------------------|-------------------------|--------|
| 12/14/2021 | 1 | Board of Supervisors | Approved as recommended | Pass |

To: Board of Supervisors of the County of Sonoma, Board of Directors of the Sonoma County Water Agency, Board of Commissioners of the Community Development Commission, Board of Directors of the Sonoma County Agricultural Preservation and Open Space District, and Board of Directors of the Northern California Air Pollution Control District

Department or Agency Name(s): Human Resources
Staff Name and Phone Number: Colleen Goetz, 707-565-1701
Vote Requirement: Majority
Supervisorial District(s): Countywide

Title:
Pre-Employment Screening and Background Check Services Agreement

Recommended Action:

Authorize the Director of Human Resources to execute an agreement with TruView BSI, LLC to perform Pre-Employment Screening and Background Check Services, effective January 1, 2022, through December 31, 2025, in amounts not to exceed \$400,000.00, with the option to execute three one-year renewals through December 31, 2028.

Executive Summary:

The requested Board action authorizes the Human Resources Director to execute an agreement for Pre-Employment Screening and Background Check Services. Under the County's long-standing bifurcated background process, supervisors and managers conduct reference checks while a third-party, consumer reporting agency handles the balance of the background checks. After conducting a Request for Proposal (RFP) process, TruView BSI, LLC was selected.

This agreement will ensure compliance with California regulations and requirements for safeguarding the confidentiality of information obtained and the disclosure of any adverse findings in accordance with the Fair Credit and Reporting Act (FCRA). This is a fee-for-service agreement with no minimum amount of work guaranteed.

Discussion:

The Human Resources Department's (HR) Recruitment & Classification (R&C) Division is responsible for managing the County's agreement for Pre-Employment Screening and Background Check Services on behalf of County departments, agencies, and districts. With the exception of the Probation Department, and the Sheriff and District Attorney's Offices, which conduct their own background investigations.

Pre-employment screening and background checks are a necessary and important best practice in the hiring process as they can uncover past criminal, civil, and/or credit issues, provided that the information uncovered has a nexus to the duties of position for which the candidate is being considered. The County has the onus to ensure that prospective employees, who after hire may deliver services to vulnerable populations and/or have access to personal and sensitive documents, will not pose a risk to the public, employees, or the County. The pre-employment screening and background check process provides the County the opportunity to mitigate possible liability issues through the discovery of concerns early in the hiring process.

Under the County's long-standing bifurcated background process, County managers and supervisors conduct personal and work history reference checks, while a third-party consumer reporting agency handles the balance of the background check. When applicable, the background company conducts the criminal and civil records searches (i.e., federal and multiple state/county searches), education verification, social security trace, motor vehicle search, address verification, professional licensing/certification verification, credit check, and liens/judgments/bankruptcy search. To conduct these searches, consumer reporting agencies have sophisticated programs and resources that the County does not possess. Using a third-party vendor ensures compliance with requirements for safeguarding the confidentiality of information obtained on job candidates, and for disclosing any adverse findings from public record searches in accordance with the FCRA. Limiting employee involvement in this process to personal/professional reference checks, and any follow-up required on the information provided, limits the County's exposure and maintains the confidentiality of information obtained in the reference check process. This bifurcated background process is a HR best practice because it is efficient, compliant, and cost effective.

Prior to this agreement, Pre-Employment Screening and Background Check Services were provided to the County by TruView BSI, LLC (previously named Summit Security Services, Inc.), who was selected as the County's vendor in 2015 following HR's release of an RFP. Since the County has been in the current agreement for over five years, HR determined it was appropriate to conduct a new RFP for these services. R&C established the RFP selection criteria and conducted a thorough search of vendors providing these services. Out of the 107 businesses solicited during the process, 10 vendors, including local businesses, submitted responses to the County Advisory Panel. The Advisory Panel was employed to evaluate the proposals based on the criteria outlined in the RFP, and was comprised of a mixture of subject matter experts from HR and high-volume County department users. The evaluation process included an assessment of: services offered, professional qualifications, experience providing services to similar agencies, functionality of the confidential ordering/delivery process, compliance with the RFP requirements, and cost of services relative to the scope of services provided. TruView BSI, LLC was selected as most qualified in meeting the RFP criteria. With over 16 years of background screening experience, including long-standing partnerships with public agencies; comprehensive services; competitive rates; secure ordering and retrieval of reports and invoices via an accessible web based platform; applicant order entry capabilities allowing applicants to enter their own information; active membership in the Professional Background Screening Association (PBSA) and Society for Human Resources Management (SHRM); and their Manager Director serving as the Co-Chair of the PBSA's Education Committee, TruView BSI, LLC was determined to be the vendor of choice.

This is a fee for services agreement. As such, there is no additional budgeted impact to the County as a result of this contract. Each requesting department pays for the services as part of the costs associated with filling a vacancy. Fee for services agreements are only used as needed. The cost per candidate processed varies depending upon nexus to the duties of position for which the candidate is being considered and whether or not searches need to be conducted in multiple counties, states, and/or countries. Based on analysis of hiring trends, the County’s recent background check usage, and the estimated cost of services over FY 22-28, the Human Resources Department recommends setting the agreement amount at a maximum of \$400,000 to cover the anticipated costs of background check services, effective January 1, 2022, through December 31, 2025 with the option to renew for three one-year periods.

Strategic Plan:

N/A

Prior Board Actions:

12/15/15, The Director of Human Resources was authorized to execute an agreement with Summit Security Services, Inc. to perform Pre-Employment Screening and Background Check Services for County of Sonoma departments, for a fee for services contract amount of \$300,000, effective January 1, 2016, through December 31, 2018, with the option to execute three one-year renewals through December 31, 2021.

FISCAL SUMMARY

| Expenditures | FY 21-22 Adopted | FY22-23 Projected | FY 23-24 Projected |
|------------------------------------|-----------------------------|------------------------------|-------------------------------|
| Budgeted Expenses | | | |
| Additional Appropriation Requested | | | |
| Total Expenditures | | | |
| Funding Sources | | | |
| General Fund/WA GF | | | |
| State/Federal | | | |
| Fees/Other | | | |
| Use of Fund Balance | | | |
| Contingencies | | | |
| Total Sources | | | |

Narrative Explanation of Fiscal Impacts:

Budgeted expenses for Pre-Employment Screening and Background Check Services are allocated to those departments, agencies, and districts using these services. This is a fee for service arrangement and expenses are covered by department, agency, and district budgets as part of the hiring process.

| Staffing Impacts: | | | |
|--|--|-------------------------------|-------------------------------|
| Position Title (Payroll Classification) | Monthly Salary Range (A-I Step) | Additions (Number) | Deletions (Number) |
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Narrative Explanation of Staffing Impacts (If Required):

Not applicable.

Attachments:

None.

Related Items "On File" with the Clerk of the Board:

Sample Agreement for Pre-Employment Screening and Background Check Services.