

**MEMORANDUM OF UNDERSTANDING**  
**BETWEEN**  
**THE COUNTY OF EL PASO AND**  
**BIG BROTHERS BIG SISTERS**

This Memorandum of Understanding dated as of \_\_\_\_\_ is made by and between El Paso County, on behalf of the Border Children’s Mental Health Collaborative (“County”) and Big Brothers Big Sisters of El Paso [need formal corporate name and identification] (“Big Brothers Big Sisters”)

WHEREAS, the County was awarded a grant pursuant to the FY2008 Strengthening Youth Mentoring through Community Partnerships Program from the U. S. Department of Justice Office of Juvenile Delinquency Prevention (the “Grant”);

WHEREAS, Big Brothers Big Sisters shall be the principal subcontractor on the Grant;

WHEREAS, Project partners will also include the El Paso County Juvenile Probation Department, the Paso Del Norte Children’s Development Center, and Child Protective Services; and

WHEREAS, Big Brothers Big Sisters and the County shall collaborate to expand the community’s capacity to provide mentoring services to previously underserved youth with physical disabilities and youth who are at significant risk of dropping out of school, engaging in violence/gang activity and/or engaging in substance abuse;

NOW THEREFORE, the parties do hereby mutually agree as follows:

**Impact/Outcomes and Evaluation**

**Goal Statement:**

This project will bring together collaborative partners with the intention to serve an increased number of at-risk youth with volunteer mentors. The evidence-based model program, Big Brothers Big Sisters, will work closely with youth-serving partners to provide structured mentoring services to meet the needs of their target populations. The combined strength of collaborating entities and their extended network of partners will enable targeted mentor recruitment for previously

underserved or unserved high needs populations.

**Objective #1:**

Improve youth outcomes in at-risk youth mentoring programs by establishing and strengthening collaborative community approaches.

**Performance Measures:**

1. Meet monthly with the five named active mentoring partners in this project to collaborate on direct support items such as mentor recruitment, training, and match support for enrolled youth.
2. Secure 5 additional new program partners who will complete MOUs and represent a broad spectrum of organizations. These partners will assist in identifying juvenile candidates for mentoring relationships and/or referring potential mentors to Big Brothers Big Sisters.
3. Provide mentoring services to 100 high needs, underserved children over the course of the project.
4. 70% of youth will successfully complete the program requirements.
5. 90% of youth will not offend or reoffend.
6. 80% of youth will demonstrate desired changes in at least one of the following targeted behaviors based on parent reports at 6 months post-match: self-confidence, academic success, ability to express feelings, attitude toward school, ability to avoid delinquency, ability to avoid early parenting, ability to avoid substance abuse, more trusting relationships with families, increased level of respect for other cultures, relationships with peers, and ability to make decisions.

**Objective #2:**

Improve the administration of mentoring programs for at-risk, underserved youth, including expanding existing mentoring strategies and program design.

**Performance Measures:**

1. Implement evidence-based program design (Big Brothers Big Sisters mentoring model) with youth-serving partnering agencies.
2. Expand existing mentoring strategies and program design to incorporate new mentor training components for targeted populations. This training will be available to 100% of mentors. Training specific to the referring agencies' dynamics, target population, and expectations will be available by all partnering organizations, with each mentor receiving the requisite training for an individual mentee when a match is established.
3. Enhance mentoring strategies through input and collaboration between project partners as evidenced through new collaboration and outreach efforts. Project partners will meet formally on a regular basis. Project partners will determine the frequency of these meetings within 30 days of funding. Meetings may occur more frequently (i.e. monthly) at the offset, and taper off (i.e. quarterly) as the project develops.

**Objective #3:**

Enhance and improve organizational capacity, system efficiency, and cost-effectiveness through training and technical assistance among partnering organizations.

**Performance Measures:**

1. 100% of program mentors will receive training.
2. All partnering organizations will provide briefings/trainings to staff members of each agency regarding their services, population served, and the program design for this project.
3. 80% of mentors will demonstrate increased knowledge of program post-training.
4. 125 new mentors will be recruited and screened.
5. 80% of mentor recruits will be cleared to mentor a child based on thorough background checks, training, interviews and assessments, and other criteria.

6. Mentors will have an average tenure of 225 days as measured over the life cycle of the grant.
7. Among partnering agencies (not Big Brothers Big Sisters), there will be a 95% increase in the number of youth served through evidence-based mentoring strategies.
8. This project will serve 13% of children already waiting for mentors on the Big Brothers Big Sisters waiting list. These youth are already in contact with one or more of the partnering agencies.

### **Project/Program Design and Implementation Plan**

#### **What We Propose to Do and How:**

The intention of this project is to create a deliberate community partnership between entities serving the neediest children in the community and the evidence-based mentoring partner, Big Brothers Big Sisters. Through regular meetings between El Paso County's Project Coordinator, Big Brothers Big Sisters, and other partners, recruitment and outreach efforts for mentors will be enhanced to assist in recruiting mentors for high-needs populations. As identified in the project timeline, partners will meet regularly to ensure planning and implementation within the targeted timeframe and with available resources.

#### **Target Population:**

We propose to mentor 100 at-risk, primarily Hispanic youth between the ages of 6 and 17 during the 3-year term of this project. The youth will be identified through the Big Brothers Big Sisters waiting list and collaborative partners' client base. All youth will be previously unserved. This population will consist of youth with physical disabilities and youth who are at significant risk of dropping out of school, engaging in violence/gang activity, and/or engaging in substance abuse. Risk factors may include (but are not limited to): single-parent-headed households, poverty, families with abuse/neglect/mental health/behavioral/emotional issues, academic problems, children who have had a parent die,

and children with families with criminal justice involvement.

**Achieving Goals and Objectives:**

Several tools and measures will be utilized to ensure progress toward achieving the goals and objectives of this project. Referred and enrolled youth and mentors will be tracked through the Agency Information Management System at Big Brothers Big Sisters. Referring entities will be entered into the database in order to provide accurate accountability to project partners regarding families and mentors whom follow-through with recommendations to enroll youth for mentoring services. This data management system identifies basic youth demographics and the Youth Population Survey form utilized by the agency, which tracks specific risk factors for enrolling children.

Match support and case notes are entered into the system monthly to provide a detailed record of mentor/mentee relationship development, support, and problem-solving. Once the match reaches its 6-month anniversary, the parent is asked to complete a nationally designed and utilized Program Outcome Evaluation tool, which measures the youth among the asset dimensions targeted for this project. Through collaboration with partners, the agency will also track any reports of youth offending/reoffending and enter those into the case management notes. A database currently utilized for general program outcome analysis will be utilized for project-specific youth. Comparisons can be made between the outcomes for the high-risk youth served in this project to the general population of at-risk youth served by Big Brothers Big Sisters. At the end of each project year, evaluation forms on mentor/mentee matches that reached the six-month point during that project cycle will be analyzed for the report to the funder. For those relationships that last 1-year or more, these evaluations will continue every 6 months after the match is made.

Pre- and post-tests for mentor training will be designed and carried out by Big Brothers Big Sisters. Those results will also be compiled and reported on annually.

The Project Coordinator hired by El Paso County will monitor Performance Measures regarding other objectives in this project. S/he will track meeting attendance by partners and the development of new active mentoring partners.

**Proposed Strategy:**

This project will implement evidence-based one-to-one, highly structured mentoring services as described below:

**Mentor Recruitment:**

Partners will work together toward mentor recruitment, but a number of specific outreach methods can be anticipated: a) corporate partnership with existing and new companies, b) community outreach to organizations such as churches, Kiwanis/Rotary/Lions/Optimist clubs, schools, etc., c) recruitment booths at community fairs, sporting events, community meetings, and d) media outreach. These methods have yielded a significant number of mentors in the past within our community.

In accordance with Big Brothers Big Sisters of America and local guidelines, recruited mentors will be screened through a comprehensive system designed to engage and retain the best-qualified, safest volunteers for working with vulnerable youth. Any mentor who fails or refuses to complete any of the screening processes is disqualified. Some of the steps involved in screening mentors include: 1) Prospective mentors are required to receive an initial orientation, interview, and training (training detailed below). During this session, the volunteer is given specific instructions regarding the policies and procedures of the enrollment and matching processes and the guidelines governing the mentoring relationship, including the criteria for not accepting a mentor or dismissing one should the need arise. The interview consists of an in-depth exploration of a) motivations for

becoming a mentor to youth with the greatest needs, b) the mentor's commitment to spend one hour a week with the assigned child(ren) for a period of at least one year, c) family, educational, work, and volunteer background, d) special skills, interests and hobbies, and e) any past experience with abuse of any kind. At this time, releases are signed to complete references, criminal background checks and child abuse central registry checks. Paperwork for processing these background checks is submitted to the appropriate agencies. 2) The mentor's home environment is assessed for suitability including safety issues related to pets, weapons, pornography, and other household members. 3) A minimum of three reference checks are performed with individuals who have known the applicant a minimum of 2 years. 4) If any concerns arise through the interview and/or the home visit, the interviewer may request a second assessment. 5) Once all criminal background checks and references have been received and approved, a comprehensive Volunteer Assessment Summary is completed, which includes recommendations for acceptance/declination and matching of the prospective mentor. A supervisor must approve all volunteers on a case-by-case basis. Results of every step of the screening process are documented and kept on file at the Big Brothers Big Sisters office.

Any indication that the mentor may subject the child to physical, emotional, sexual, or psychological abuse or harm will disqualify the applicant. Any failure to provide the necessary information or permission to gain the necessary information will result in automatic disqualification from becoming a mentor. Thus far, in El Paso, this screening process has been successful in protecting the youth in the program.

**Training:**

Comprehensive training will be provided to partners, youth, mentors, and parents. Partnering organizations will provide Big Brothers Big Sisters with supplemental training information particularly relevant to their specific populations. They will also, as necessary, request mentors

Formatted: Indent: Left: 0 pt

working with their program-specific youth to undergo supplemental background check processes, including fingerprint analysis. The orientation training provided at Big Brothers Big Sisters of El Paso is based on the expertise of nationally developed training modules along with training developed by experts within the agency. The orientation session includes information related to 1) mentor criteria for acceptance, 2) program policies governing the mentoring relationships, 3) length of commitment (we ask mentors to commit for at least 12 months) and requirement to participate in monthly follow-up contacts, 4) the level of support provided for the match and technical expertise available in the agency, 5) youth safety issues including the prevention of abuse, 6) the partnerships with school districts and overall goals of the mentoring relationship. Through the partnerships and project resources, mentors will have the opportunity to participate in other training opportunities on special populations, CPR, first aid, defensive driving and other trainings as identified throughout the life of the project.

**Matching a Mentor to a Mentee:**

Once a mentor is screened and approved, potential matches (a mentor paired with a mentee) are formed initially through a database match citing basic demographics (age, gender, language abilities, etc.). This yields several possibilities. Then assessment summaries of all parties are reviewed which detail more specific information including a) strengths and weaknesses of mentor/mentee, b) the needs of the youth, c) the feedback from the teacher/counselor/or other referring professional in the consortium, d) the interests of both parties, and e) preferences of the mentor/mentee and parent/youth. Because of the specific population being served, the time frame for determining matches as they pertain to this project will be largely contingent upon the success of recruitment strategies in bringing in new mentors.

**Making a Mentor/Mentee Match:**

Through the professional assessment of youth and mentors, one-to-one matches with the



greatest likelihood of developing longstanding, effective relationships will be formed. Input from teachers, counselors, and campus coordinators will be sought to enhance the process of matching volunteers from the campus with a referred youth. When a strong match has been identified, a supervisor is asked to approve the pairing after reviewing the employee's description and rationale for the match and considering the input of school personnel. Mentors are not matched with more children than the mentor can effectively serve. All parties to the match approve descriptions of one another and a match meeting is scheduled. During this meeting, agreements outlining the program's rules and regulations governing the match relationship are reviewed and signed by all parties and a conversation to initiate sharing of common interests is facilitated. At the end of the meeting, the mentor is encouraged to make the first "appointment" with his/her mentee. Typically, the agency is able to provide a "match pack" of pencils, free meal coupons, or other "goodies" to help break the ice and provide possibilities for initial activities. At the onset of the relationship, the mentor is briefed regarding the specific needs of his/her new mentee. They are also coached at this time regarding activities that may help support the youth towards the development of new assets.

**Match Support:**

In the follow-up and support process, each mentor, caregiver, and child receives individual training and coaching one-to-one as the relationship between mentor and mentee develops. Coaching subjects may include 1) relationship development, 2) importance of and requirement for communicating with agency staff on a monthly basis, and 3) activity suggestions to enhance the experiences of the mentor/mentee and the accomplishment of individually designed case plans for youth. Once a match has been agreed-upon by the parties (see below), the mentor is also given individualized, customized training on the dynamics of the family they will be working with. Mentors are coached regarding respect for each family's circumstances, sensitivity to their needs, and an awareness of the personalities in that family group. This comprehensive training process for

all parties to the mentoring relationship has been based on the experiences of the program, contact with numerous other mentoring programs, and the input of consortium partners, mentors, parents, and youth. On a monthly basis, the agency currently makes more than 1200 support contacts and phone calls to ensure the oversight and safety of the children and mentors in our program. This systematic process of contacts and documentation requires working closely with partners and includes a thorough review process from supervisors monthly to ensure compliance with this programmatic requirement. This individual guidance and attention to the developing relationship is only part of the support process for program participants.

**Relationship-Building Activities:**

Mentors will have the opportunity to take advantage of numerous activities hosted by the agency and/or its sponsors during the year such as free tickets to sporting events and recreation and parks, movie passes, an annual picnic, summer learning activities, holiday activities, etc. All of these opportunities serve to show appreciation to the mentor and give the mentor and mentee free and fun relationship building activities. Mentors will also receive support and recognition in the form of recognition for progress with the mentee, match longevity, and an annual awards and recognition event hosted by the agency and schools.

**Achievability of Plan:**

Based on the past experience of all partnering entities, the above plan for service delivery is achievable within the designated timeframe. Last year, through multiple project and funding streams, Big Brothers Big Sisters formed more than 400 new mentoring relationships and sustained an additional 540. The timeline for the project establishes realistic goals and benchmarks for partnership collaboration, reciprocal partner training, referral of youth, and formation of mentor/mentee matches.

**Cost Efficient and Effective:**

Based on projects similar in scope, serving youth with significant needs, this project has an efficient cost per youth served of \$5000. Given the risk factors of enrolled youth (as outlined above) and projected effectiveness in preventing risk behaviors, as identified in Objective 1, Performance Measures 5 and 6, this project will yield significant outcomes for a high-risk youth population.

**Community Partnership and Commitments:**

Collaborating partners bring their own community ties and networks to this project and will secure additional partners as the project evolves. Those partnerships are or will be outlined in the form of letters of support or, when a more structured and substantial relationship exists, in the form of MOUs. A key commitment of all partners is to cross-train one another on services and populations served. That training will include: 1) Big Brothers Big Sisters on the history of mentoring, mentoring requirements, how to identify appropriate potential participants, the systems utilized to enroll and screen youth and mentors, the development of mentor/mentee matches, and the systems for ongoing support as the relationship unfolds; 2) Border Children's Mental Health Collaborative on the history of the collaborative, the partnerships within the collaborative, youth and families served, and specific services provided by partners, 3) the Juvenile Probation Department on the demographics of juvenile offenders and the crimes they commit, gang issues and awareness, how mentors can be coached to work most effectively with these families, warning signs for program staff to recognize when a child is likely to offend or reoffend, and a possible facility tour, 4) Child Protective Services on the needs and demographics of their client base, unique characteristics of families that program staff and mentors should be aware of, how mentors can be coached to work most effectively with these families, and warning signs of abuse, 5) El Paso Rehab Center on the needs and demographics of their client base, unique facets for mentor consideration in working with youth going through a rehabilitation process, and ways for staff and mentors to understand disability opportunities and limitations for mentoring services.

**Project Advisory Board:**

This project will be guided by two advisory boards: the Big Brothers Big Sisters Board of Directors and the Border Children's Mental Health Collaboration Advisory Panel. Regular reports will be provided to each board and feedback will be solicited from each board's diverse membership for potential enhancements to the project's design. The Big Brothers Big Sisters board has members representing largely private sector industry and may be able to link the project to potential sources of mentors, relationship-building activities, and other resources. The Border Children's Mental Health Collaborative Advisory Panel is comprised of local leaders, elected officials, representatives from numerous youth services organizations, and others.

**Staffing/Operating Plans and Organizational Structure for Project:**

El Paso County will serve as the fiscal agent and will perform the lead coordination role on this project. The County will hire a Project Coordinator and an Assistant who will have the roles of a) facilitating and coordinating consistent partner communication and collaboration, b) maintaining fiscal and programmatic reporting accountability, c) working with partners to ensure appropriate youth referrals, d) working with partners to identify targeted mentor pools, e) facilitating cross-training by all partners to ensure familiarity with one another's program designs and specific needs for youth. This Coordinator will gather information and feedback from participants, oversee implementation of the timeline, monitor and track services provided by the contractor, and provide grant-reporting functions.

Big Brothers Big Sisters will be the primary contractor on this grant. They will assign a Project Coordinator who will facilitate their agency's performance on this project and will act as the primary interface between the agency and all project partners. Big Brothers Big Sisters incorporates a team approach to grant management, therefore a team of professionals will be available on their staff to ensure comprehensive attention is given to all facets of this project from individual service

delivery to clients to oversight and accountability. Because they already have systems in place for implementing service delivery and targeted youth already enrolled, start-up time will be substantially reduced.

Project partners will include the Border Children’s Mental Health Collaborative, the El Paso County Juvenile Probation Department, the El Paso Rehabilitation Center [need new ], and Child Protective Services.

### **Capabilities and Competencies**

#### **Contractor Capabilities:**

##### **Big Brothers Big Sisters of El Paso**

Big Brothers Big Sisters of El Paso has performed successfully in numerous projects of similar scope with partners including all local area school districts and colleges, the Juvenile Probation Department, corporate partners, and others. Examples of successful projects and funders include: Juvenile Mentoring Program funded by OJJDP, Youth Violence Prevention Coalition funded by the Substance Abuse and Mental Health Services Administration, Baby Boomer Volunteer Engagement grant funded by the Corporation for National and Community Service, Academic Mentoring Project funded by the Department of Education, Mentoring Children of Prisoners funded by the Department of Health and Human Services. The agency met all project goals and successfully completed program and financial reviews. Staff members include national experts in mentoring. The CEO, Beth Senger, has more than 20 years of management experience with a background in technical instruction, team leadership, strategic planning, and organizational development. The CEO has published work in the mentoring field (in the OJJDP Mentoring Program Guide on Sustainability published through the National Mentoring Center) and offers training and technical assistance periodically to the National Mentoring Center, Governor’s Mentoring Initiative and the Department

of Education technical assistance contractors. She has provided national trainings on Recruitment in Hispanic Communities, Sustainability, Partnership Development and other topics. She helped initiate Big Brothers Big Sisters in El Paso 8 years ago.

The Executive Vice President, Bobbi Ortiz, has been a trainer for the National Mentoring Center and the Governor's Mentoring Initiative and is a part-time professor at the University of Phoenix. She has been with the agency for 7 years and has additional past management experience. She is a Licensed Master Social Worker, Advanced Clinical Practitioner.

The Vice President of Programs is Annette Baumann. She currently serves as a peer reviewer for the Department of Health and Human Services, ACF Mentoring Children of Prisoners project. She grew participant involvement in our program from 80 to 940 mentor/mentee matches over the past 7 years. She has a Bachelor's Degree and has past management experience.

**Partnering Agencies:**

**Border Children's Mental Health Collaborative**

Before the creation of the Border Children's Mental Health Collaborative (BCMHC), individuals displaying severe behavioral issues or experiencing mental health disorders were separated from their families and sent to sites throughout Texas for residential treatment. Between 2000 and 2006, this process cost El Paso County a total of \$26,000,000, and did not give juveniles' families any degree of input regarding their children's treatment plans. BCMHC was established to meet the needs of youth with co-occurring disorders or severe emotional disturbance, giving them the opportunity to receive evidence-based "Wrap-Around" treatment services that celebrate strong cultural and family ties rather than transplanting youth away from these important stabilizing factors. BCMHC works with youth who are determined using the DSM IV Axis I as having a severe emotional disturbance (SED) and are in imminent risk of disruption or removal from the home or preferred living situation due to psychiatric and/or behavioral problems.

Roger Martinez is the Project Director for the Border Children's Mental Health Collaborative. He is responsible for facilitating successful collaborative processes and implementing BCMHC objectives. Mr. Martinez performs consultative and technical work in the planning and implementation of strategies for the expansion of highly effective, culturally competent mental health service delivery to youth in the juvenile justice, child welfare or mental health and mental retardation system, provides vision and leadership for the Border Children's Mental Health Collaborative goals, and ensures consistency with the mission and values conceived in the planning process. He brings over 24 years of experience with at-risk youth services and education to this project.

#### **El Paso County Juvenile Probation Department**

The El Paso County Juvenile Probation Department (JPD) is responsible for identifying the risk and protective factors of the juveniles referred to the department who have been formally adjudicated for committing a delinquent act within the county. This department receives approximately 2,600 referrals annually for delinquent conduct and supervises an average of 850 juveniles on probation annually. The daily average number of probationers is 490 youth who are between 10 and 17 years of age. It is often the case that juveniles are not forthcoming with their substance abuse histories. In these cases, probation officers are able to identify substance abuse issues only *after* the juvenile has been placed on probation and has tested positive for alcohol or other drugs. A healthy mentor relationship would provide juveniles with someone they trust, and with whom they feel comfortable discussing the issues surrounding their delinquent behavior or substance abuse issues. Discussing the core issues leading to delinquent behavior (such as drug abuse, gang involvement, and other risk factors) and seeking appropriate treatment and community-based resources can reduce juvenile recidivism rates much more effectively than the traditional juvenile justice process. There is currently no mentorship program in place at JPD.

Rosie Medina is the Special Programs Coordinator for JPD and is responsible for the program management duties of the Juvenile Drug Court and Special Needs Diversionary Mental Health Court Program in the County. Ms. Medina has extensive program management experience, including designing and implementing programs to meet the needs of identified populations within the juvenile justice system with a focus on identifying evidence-based or promising practices to address the myriad needs of this target population.

#### **The Paso del Norte Children's Development Center**

The Paso del Norte Children's Development Center is a non-profit, 501(c) (3) organization established in 1948. Its mission is to help youth with disabilities reach their fullest potential by providing comprehensive therapeutic, educational and day care services. In 2005, it began a peer-mentoring project called Training Tomorrow's Mentors Today (TTMT) in which high school students with developmental disabilities between the ages of 15 and 21 are mentored and encouraged to become self-advocates by college-aged students with developmental disabilities or successful, disabled adults. Through the TTMT program, mentors help youth develop skills and reach positive goals their academic, career, social, and personal lives by becoming part of the social network of the youth. Observable outcomes of the program include the high school students' growth in the areas of self-advocacy, self-determination, career awareness, and socialization skills. Lydia Herndandez Morera, Project Director, will be the point of contact for this project, as well as Lucila Lozano, Project Coordinator.

#### **Child Protective Services**

Child Protective Services (CPS) investigates reports of abuse and neglect of children. It also provides services to children and families in their own homes, places children in foster care, provides services to help youth in foster care make the transition to adulthood, and places children in



adoptive homes. CPS works with youth experiencing substance abuse, domestic violence, and abuse or neglect, and works in close collaboration on many cases with the Juvenile Probation Department.

They also provide services to children who are not involved with the Juvenile Justice system, but are exhibiting behavioral issues that may lead to larger problems such as delinquency or school truancy in the future, as well as disabled youth.

**Evidence-Based Practices:**

This project design is based on the 105 years of experience of Big Brothers Big Sisters of America, which has provided mentoring to more than one million children through a network of 470 affiliates across the country. That foundation has allowed Big Brothers Big Sisters of El Paso to implement successful at-risk youth mentoring initiatives resulting in positive gains for youth in our local program. Big Brothers Big Sisters has served more than 2000 youth locally since 1999, all of whom are considered at significant risk due to personal or societal challenges. 41% of their currently enrolled youth have five or more risk factors among the following: poverty, single parent household, abuse/neglect, emotional/behavioral problems, learning disability, ADD/ADHD, teen parenting, probation, truancy, drug/alcohol use, and/or an incarcerated parent.

IV. Term. This Memorandum of Understanding shall commence on October 1<sup>st</sup>, 2008 and extend for a one year term, provided however, this Agreement shall automatically renew for successive one year terms until terminated. Any signatory to this Interlocal Agreement may terminate participation by giving other signatories thirty (30) days written notice of intent to terminate participation to the following persons:

Subcontractor: Beth Senger  
Chief Executive Officer  
Big Brothers Big Sisters  
1724 Wyoming  
El Paso, Texas 79902

County: County Judge  
County of El Paso, Texas  
500 E. San Antonio, Suite 301  
El Paso, TX 79901

with a copy to: Roger Martinez  
Executive Director  
Border Children's Mental Health Collaborative  
119 N. Stanton, 9<sup>th</sup> Floor  
El Paso, TX 79901

Any other notice required or permitted under this Agreement shall be mailed by certified mail, return receipt requested, to the addresses above. A party may change its address by giving notice in compliance with this section.

IV. Compliance with Laws, HIPAA. Both parties shall comply with all federal, state and local requirements relating to the services provided under this Agreement, including, but not limited to, the Health Insurance Portability and Accountability Act, as amended (HIPAA), and the Terms and Conditions of Award Grant applicable to the OJJDP Grant.

V. Miscellaneous.

- A. Nothing contained herein shall be construed as creating the relationship of employer and employee or principal and agent between Big Brothers Big Sisters and the County. Each party is responsible for their own acts and deeds and for those of their agents, employees, and contractors during the performance of any work or services to the extent provided by law.
- B. For the purpose of determining the place of contract and the law governing same, this Agreement is entered into in the City and County of El Paso, State of Texas, and shall be governed by the laws of the State of Texas. Venue shall be in El Paso County, Texas.
- C. All persons that are signatories to this Agreement represent that they have authority to enter into this Agreement and bind their respective organizations thereto.
- D. This writing constitutes and expresses the entire agreement between the parties and shall

not be amended or modified except by written instrument signed by both/all parties. This Agreement may be amended in writing by consent of all signatories at any time

- E. This Agreement and the duties of the parties are contingent upon the receipt of ODJJP Grant funds by the County. In the event that no, or insufficient, grant funds are received, this Agreement shall automatically terminate and have no further force and effect. Big Brothers Big Sisters shall have no cause of action against County in the event that County is unable to perform its obligation under this Agreement as a result of suspension, termination, withdrawal or failure of funding.
  
- F. If any provision of this Agreement shall be construed to be illegal or invalid, it shall not affect the legality or validity of any other provisions hereof, and the illegal or invalid provision shall be deemed stricken and deleted herefrom to the same extent and effect as if never incorporated herein, but all other provisions shall continue to the extent that they substantially reflect the Agreement contemplated by the parties.

**IN WITNESS WHEREOF, THE PARTIES EXECUTE THIS AGREEMENT:**

**EL PASO COUNTY**

By \_\_\_\_\_ Date: \_\_\_\_\_  
County Judge Anthony Cobos

**BIG BROTHERS BIG SISTERS**

By \_\_\_\_\_ Date: \_\_\_\_\_  
Beth Senger, Chief Executive Officer

ATTEST:

**From:** Josie Brostrom [Josefina.Brostrom@ca.epcounty.com]  
**Sent:** Thursday, December 11, 2008 9:52 AM  
**To:** Roger Martinez  
**Cc:** Debbie Camacho  
**Subject:** Contract Legal Review Form KK-08-444 OJJDP Mentoring Grant Award MOU

**Importance:** High

**Attachments:** ko8444 final BCMHC-BBBS.doc

**COUNTY LEGAL REVIEW FORM**

KK-08-444

Contract Description: Border Children's Mental Health Collaborative  
ODJJP Mentoring Grant Award - Memorandum of Understanding with  
Big Brothers Big Sisters

**COUNTY ATTORNEY ACTION\*\***

**\*\*Requested Amendments/Clarifications:** We assume you have submitted any questions or comments you have regarding the terms of the contract, as well as any specific provisions to which you object, or which you want to have changed.

Approved as to Form as Submitted  
 Approved as to Form with Amendments/Modifications/Reservations Noted Below\*  
 Not Approved

\*1) NA

This document has been given legal review by the El Paso County Attorney's Office on behalf of the County of El Paso, its officers, and employees. Said legal review should not be relied upon by any person or entity other than the County of El Paso, its officers, and employees.

**Josefina J. Brostrom**  
**Assistant County Attorney**

