

..Title

- a. Approve and authorize the Contracts Purchasing Officer to execute Amendment No. 1 to the Professional Services Agreement with Olivia Wilson, DBA Monterey County Interpreting Services, for onsite language interpretation, extending the term for three additional years, through June 30, 2021, and increasing the total amount by \$105,000, from \$90,000 to \$195,000, a cost of approximately \$35,000 per year.

- b. Authorize the Contracts Purchasing Officer to execute up to three (3) additional amendments extending the Agreement by one (1) year each, subject to County Counsel review, where additional costs per year do not exceed 10% (\$3,500) of the annual contract amount per amendment and the amendments do not significantly alter the scope of work.

..Report

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Approve and authorize the Contracts Purchasing Officer to execute Amendment No. 1 to the Professional Services Agreement with Olivia Wilson, DBA Monterey County Interpreting Services, for onsite language interpretation, extending the term for three additional years, through June 30, 2021, and increasing the total amount by \$105,000, from \$90,000 to \$195,000, a cost of approximately \$35,000 per year.

- b. Authorize the Contracts Purchasing Officer to execute up to three (3) additional amendments extending the Agreement by one (1) year each, subject to County Counsel review, where additional costs per year do not exceed 10% (\$3,500) of the annual contract amount per amendment and the amendments do not significantly alter the scope of work.

SUMMARY:

Olivia Wilson DBA Monterey County Interpreting Services (MCIS) provides in-person language interpretations for the Public Defender’s incarcerated clients. MCIS provides interpretations at the Monterey County Jail, Monterey County Juvenile Hall, and Monterey County Youth Center. Occasionally, MCIS will provide interpretations in non-custodial settings during investigative witness interviews. MCIS provides interpreters in many languages, primarily Spanish, but notably indigenous Oaxacan languages such as Mixteco, Zapoteco, Chinanteco, Triqui, Mixe, Amuzgo and Zoque, as well as many other languages such as Vietnamese, Russian, and Mandarin. These indigenous languages are relatively common in Monterey County due to its immigrant population. MCIS services are needed to satisfy the County’s Constitutional mandate to provide effective attorney services to all indigent persons having the right to counsel, regardless of their language.

Spanish interpretations have a two-hour minimum at the rate of \$40.00 per hour. Non-Spanish interpretations have a two-hour minimum at the rate of \$160.00 per hour.

DISCUSSION:

The Public Defender began contracting with Olivia Wilson, DBA Monterey County Interpreting Services (MCIS) approximately in FY 2008. The Public Defender would like to extend the term for an additional three years through June 30, 2021.

MCIS provides interpretation services for Public Defender attorneys during in-person interviews. Approximately 90% of the interpretations take place at the Monterey County Jail, Monterey County Juvenile Hall, or Monterey County Youth Center. The remaining 10% take place during field investigations or at the Public Defender's office.

Existing Public Defender bilingual legal support staff cannot provide the interpreter services currently provided by MCIS. The Public Defender does not have bilingual staff for all the languages for which interpreters are required. Public Defender legal support staff do not have job classifications for travel off-site, daily, to local penal institutions to interpret for attorney-client meetings nor do they have the necessary security clearances for the required professional visits. Public Defender legal support staff would be unable to accomplish their classified legal support duties if they were required to travel daily to various penal institutions to interpret.

For the Public Defender to provide these services with County staff, it would require, at a minimum, the addition of at least two bilingual Spanish-speaking legal support positions to replace MCIS' Spanish interpreting services. The cost of the additional two positions is greater than the cost of using MCIS.

Public Defender bilingual legal support staff use their skills to interpret during office client visits and client telephone calls. The Public Defender's bilingual investigators obviate the need for a Spanish interpreter in investigations in which Spanish is the only language which must be interpreted. While the Public Defenders' bilingual employees perform valuable interpretation while performing their job duties, they cannot perform the interpretations provided by MCIS.

The Public Defender's Office also uses Language Line, a dial-in interpreter service accessed via telephone. Rates for Language Line depend upon the language requested. Language line is cost effective, compared to MCIS, when the visit is short, as there is no minimum charge. Public Defender attorneys are trained and instructed to use Language Line when they reasonably anticipate the session will cost less than using MCIS.

OTHER AGENCY INVOLVEMENT:

County Counsel has reviewed Amendment No. 1 as to form.

FINANCING:

Funds for this expense are included in the FY 2017-18 Adopted Budget for the Office of the Public Defender, Fund 001, Department 2270, Budget Unit 8169, Appropriation Unit PUB001. Litigation requires access to critical ancillary services including in-person language interpretation therefore, funding is anticipated to continue through the extended period of FY 2020-21.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

This contract meets the Board's strategic initiatives by providing "Efficient and Effective Government Operations". This contract also meets a Key Objective by achieving a balanced budget that sustains core services and efficiently allocates resources.

Mark a check to the related Board of Supervisors Strategic Initiatives

- Economic Development
- Administration
- Health & Human Services
- Infrastructure
- Public Safety

Prepared by: Becky Avila, Management Analyst I, x.3048
Approved by: Susan E. Chapman, Public Defender, x.5806

Attachments:

Board Report

Agreement with Olivia Wilson DBA Monterey County Interpreting Services

Amendment No. 1 to Agreement with Olivia Wilson, DBA Monterey County Interpreting Services