

## **..Title**

a. Approve and authorize the Contracts Purchasing Officer to execute Amendment No. 1 to the Professional Services Agreement with West Publishing Corporation for updating West publications, increasing the amount from \$4,000 to \$8,000, payable during the original term of November 1, 2016 through October 31, 2019.

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 total additional costs do not exceed ten percent (\$800 total maximum additional cost) of the amended contract amount 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 West Publishing Corporation for updating West publications, increasing the amount from \$4,000 to \$8,000, payable during the original term of November 1, 2016 through October 31, 2019.

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 total additional costs do not exceed ten percent (\$800 total maximum additional cost) of the amended contract amount and the amendments do not significantly alter the scope of work.

### **SUMMARY:**

It is requested that the Board authorize the Contracts Purchasing Officer to execute an amendment that would increase the existing \$4,000 non-standard Agreement with West Publishing Corporation for subscription updates by \$4,000, for a total amended amount not to exceed \$8,000.00, over the original agreement term of November 1, 2016 through October 31, 2019. The purpose of the increase is to cover services required during the remainder of the term and to pay outstanding invoices.

The additional \$4,000.00 is necessary to cover outstanding invoices in the amount of \$1,063.40, to cover subscription costs of \$2,233 for ten months of the original term, and to allocate approximately \$700.00 for miscellaneous book purchases through October 31, 2019. Services include providing all published updates and new bound volumes for the duration of the contract. Continuous updates of West Publications, including statutes, case law, and specialty treatises, are essential to the Public Defenders Office' performance of its mission---fulfilling the County's constitutional obligation to provide competent and effective criminal defense services to indigent adult and juvenile defendants.

The Public Defender's Office will review the current subscription in July 2019 to determine if an extension, modification or cancellation of the Agreement is required. The Board is asked to authorize up to 3 extensions of the Agreement, of one year each, to facilitate uninterrupted receipt of subscription update services. Amendments extending the agreement would be limited by cost, would not significantly alter Agreement terms previously approved by the Board, and would be subject to prior County Counsel review.

OTHER AGENCY INVOLVEMENT:

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

FINANCING:

Funding is available within the existing budget for the Public Defender; approval of Amendment No. 1 would not impose new or additional impacts on the County General Fund.

Funds for this expense are included in the FY 2018-19 Budget for the Office of the Public Defender, Fund 001, Department 2270, Budget Unit 8169, Appropriation Unit PUB001.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

This contract meets the Board's strategic initiatives by providing "Efficient and Effective Government Operations," enabling the Public Defender's office to fulfill the County's constitutional obligation to provide competent and effective indigent criminal defense services. 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:

Agreement with West Publishing Corporation

Amendment No. 1 to Agreement with West Publishing Corporation