



Legislation Details (With Board Report)

**File #:** 13-0134      **Name:** ADO Agreements CY-2013  
**Type:** General Agenda Item      **Status:** Passed  
**File created:** 1/30/2013      **In control:** Board of Supervisors  
**On agenda:** 2/12/2013      **Final action:** 2/12/2013

**Title:** a. Approve and authorize the Contracts/Purchasing Officer to execute Professional Services Agreements with effective terms of January 1, 2013 through December 31, 2013. The following attorneys are awarded from the Request for Qualifications (RFQ) #10379 for Legal Representation for Indigent Adult Criminal and Juvenile Delinquent Cases via the Alternate Defender’s Office: Jeffrey Gobell for \$109,500 annually, Chenoa Summers for \$109,500 annually, Kelly Duncan for \$84,000 annually, Richard West for \$138,000 annually, Scott Erdbacher for \$138,000 annually, Susan Chapman for \$138,000 annually, Steve Liner for \$138,000 annually, and Jan Lindberg for \$96,000 annually, in which each Agreement term begins upon full execution of the Agreement and ends after one full year with the option to extend each Agreement for up to three additional one year periods; and  
b. Authorize the Contracts/Purchasing Officer to execute up to three (3) future Amendments to each Agreement in which there is no significant change to the scope of work or increase in cost that exceeds five percent (5%) of the original amount of the Agreement.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. AgmtChenoaSummersRFQ10379, 2. AgmtLinerBuckGiordanoRFQ10379, 3. AgmtJanLindbergRFQ10379, 4. AgmtRichardWestRFQ10379, 5. AgmtJeffreyGobellRFQ10379, 6. AgmtScottErdbacherRFQ10379, 7. AgmtKellyDuncanRFQ10379, 8. AgmtSusanChapmanRFQ10379, 9. Completed Board Order

Date	Ver.	Action By	Action	Result
2/12/2013	1	Board of Supervisors	approved	

a. Approve and authorize the Contracts/Purchasing Officer to execute Professional Services Agreements with effective terms of January 1, 2013 through December 31, 2013. The following attorneys are awarded from the Request for Qualifications (RFQ) #10379 for Legal Representation for Indigent Adult Criminal and Juvenile Delinquent Cases via the Alternate Defender’s Office: Jeffrey Gobell for \$109,500 annually, Chenoa Summers for \$109,500 annually, Kelly Duncan for \$84,000 annually, Richard West for \$138,000 annually, Scott Erdbacher for \$138,000 annually, Susan Chapman for \$138,000 annually, Steve Liner for \$138,000 annually, and Jan Lindberg for \$96,000 annually, in which each Agreement term begins upon full execution of the Agreement and ends after one full year with the option to extend each Agreement for up to three additional one year periods; and  
b. Authorize the Contracts/Purchasing Officer to execute up to three (3) future Amendments to each Agreement in which there is no significant change to the scope of work or increase in cost that exceeds five percent (5%) of the original amount of the Agreement.

**RECOMMENDATION:**

a. Approve and authorize the Contracts/Purchasing Officer to execute Professional Services Agreements with effective terms of January 1, 2013 through December 31, 2013. The following attorneys are awarded from the Request for Qualifications (RFQ) #10379 for Legal Representation for Indigent Adult Criminal and Juvenile Delinquent Cases via the Alternate Defender’s Office: Jeffrey Gobell for \$109,500 annually, Chenoa Summers for \$109,500 annually, Kelly Duncan for \$84,000 annually, Richard West for \$138,000

annually, Scott Erdbacher for \$138,000 annually, Susan Chapman for \$138,000 annually, Steve Liner for \$138,000 annually, and Jan Lindberg for \$96,000 annually, in which each Agreement term begins upon full execution of the Agreement and ends after one full year with the option to extend each Agreement for up to three additional one year period; and

- b. Authorize the Contracts/Purchasing Officer to execute up to three future Amendments to each Agreement in which there is no significant change to the scope of work or increase in cost that exceeds five percent (5%) of the original amount of the Agreement.

**SUMMARY:**

The Monterey County Alternate Defender Office (ADO) finds it necessary to assign qualified trial counsel for indigent defendants, parties, or juveniles in cases in which the Public Defender has declared a conflict of interest. To accommodate these alternate defense requirements and to control costs for outside professional legal services, the County of Monterey Alternative Defender’s Office solicited qualifications from legal firms and/or attorneys to provide legal representation for Adult Criminal clients and Juvenile Delinquency clients in which the Public Defender has declared a conflict of interest and the Courts assign the ADO for appointment of counsel. The County has entered into contracts with private attorneys to accept appointments to represent indigent parties. The Alternate Defender’s Office is recommending that the Board execute contracts with the Law Office of Steve D. Liner, the Law Office of Scott Erdbacher, the Law Office of Susan Chapman, the Law Office of Richard West, the Law Office of Jeffrey Gobell, the Law Office of Chenoa Summers, the Law Office of Kelly Duncan, and the Law Office of Jan Lindberg for contracted services for CY 2013.

**DISCUSSION:**

Language has been added to ensure that these services are being provided in compliance with Alternative Defender Office Policy regarding representation and procedures in providing these services. Contracts and attachments are on file with the Clerk to the Board’s Office.

**OTHER AGENCY INVOLVEMENT:**

The Public Defender’s Office worked with the Contracts/Purchasing Division during this RFQ solicitation to ensure the process was fair and transparent. Following an evaluation of qualifications submitted and an interview process, eight attorneys were awarded Agreements.

County Counsel and the Auditor-Controller have reviewed and approved these Agreements as to legal form and fiscal provisions respectively. All the insurance and indemnification are compliant with the standard requirements set forth by the Risk Manager.

**FINANCING:**

The annual compensation for each of the contracts is funded through Fund 001-Public Defender PUB001-2270-Budget Unit 8168-Court Assigned Counsel, as follows:

<b><u>Contractor</u></b>	<b><u>Maximum Annual Amount</u></b>	<b><u>Case Type</u></b>
Law Office of Steve D. Liner	\$138,000.00	Heavy Felony
Law Office of Richard West	\$138,000.00	Heavy Felony
Law Office of Scott Erdbacher	\$138,000.00	Heavy Felony
Law Office of Susan Chapman	\$138,000.00	Heavy Felony
Law Office of Chenoa Summers	\$ 109,500.00	Juvenile
Law Office of Jeffrey Gobell	\$ 109,500.00	Juvenile
Law Office of Jan Lindberg	\$ 96,000.00	SC Felony
Law Office of Kelly Duncan	\$ 84,000.00	Misdemeanors

Funding for the Agreement is included in the **FY 2012-2013** Approved Budget and will be included in the FY

2013-14 Requested Budget, Budget Unit 8168-Court Assigned Counsel. Approval of the recommended actions will have no additional impact on the County General Fund.

Prepared by: Latasha Ellis, Management Analyst, ext.5082 \_\_\_\_\_

Approved by: Jim S. Egar, Public Defender, ext.5806 \_\_\_\_\_

Attachments: 1 through 8

Attachment 1: Agreement Chenoa Summers RFQ 10379

Attachment 2: Agreement Steve Liner RFQ 10379

Attachment 3: Agreement Jan Lindberg RFQ 10379

Attachment 4: Agreement Richard West RFQ 10379

Attachment 5: Agreement Jeffrey Gobell RFQ 10379

Attachment 6: Agreement Scott Erdbacher RFQ 10379

Attachment 7: Agreement Kelly Duncan RFQ 10379

Attachment 8: Agreement Susan Chapman RFQ 10379