

RESOLUTION NO. .

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

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RESOLUTION AUTHORIZING AN AMENDMENT TO THE AGREEMENT WITH THE SAN MATEO COUNTY BAR ASSOCIATION FOR PRIVATE DEFENDER PROGRAM (PDP) SERVICES FOR THE PERIOD OF JUNE 1, 2017 THROUGH JUNE 30, 2019, INCREASING THE AMOUNT BY \$6,400,000 TO AN AMOUNT NOT TO EXCEED \$11,118,205 FOR SERVICES PROVIDED THROUGH JUNE 30, 2018, UNTIL THE COUNTY CONTROLLER HAS COMPLETED A FOLLOW-UP AUDIT AND SIGNED OFF ON ALL FINANCIAL REPORTING OBLIGATIONS AS SPECIFIED IN THE AGREEMENT, AND AN AMENDMENT TO THE AGREEMENT HAS BEEN AUHORIZED BY THE BOARD WITH COMPENSATION TERMS FOR SERVICES PROVIDED THROUGH JUNE 30, 2019

RESOLVED, by the Board of Supervisors of the County of San Mateo, State of California, that

WHEREAS, it is the desire of the County to provide appropriate and competent legal services to financially eligible persons entitled to Court Appointed Counsel in San Mateo County; and

WHEREAS, the San Mateo County Bar Association has successfully provided such services through the Private Defender Program since 1968; and

WHEREAS, it is the desire of the County and the San Mateo County Bar Association to continue to provide these services; and

WHEREAS, the County negotiated a new agreement with the San Mateo County Bar Association for the provision of the Private Defender Program during the

period of June 1, 2017 through June 30, 2019, in an amount not to exceed \$4,718,205 for services provided through September 30, 2017; and

WHEREAS, unspent funds from advance payments made under the previous agreement have been used to compensate the Private Defender Program for services provided from October 1, 2017, until the County Controller completes a follow-up audit and signs off on all financial reporting obligations as specified in this agreement, and an amendment to the agreement is authorized by the Board for payments for services provided through June 30, 2019; and

WHEREAS, the County Controller is anticipated to complete the follow-up audit and the County Manager's Office will negotiate new compensation terms by June 30, 2018, and bring an amendment to the agreement to the Board with compensation terms for services provided through June 30, 2019; and

WHEREAS, Section 11 Evaluation of the agreement will be amended to evaluate the Private Defender Program on going performance from no less than every ten years, to no less than every five years, and

WHEREAS, this agreement includes juvenile dependency services through June 30, 2018, as specified in Appendix D. The Court will enter into a separate agreement with the Private Defender Program for these services, which are a Court mandate, beginning July 1, 2018; and

WHEREAS, the County needs to continue to pay for services provided by the Private Defender Program through June 30, 2018, necessitating an increase in the agreement in the amount of \$6,400,000, to an amount not to exceed \$11,118,205; and

WHEREAS, this Board has been presented with a form of the amendment to the agreement and wishes to approve same as to both form and content and desires to enter into the amended agreement;

NOW THEREFORE, IT IS HEREBY DETERMINED AND ORDERED that the President of the Board be authorized and directed to execute the amendment to the agreement with the San Mateo County Bar Association for the Private Defender Program and on behalf of the County of San Mateo, and the Clerk of this Board shall attest to the signature thereto.

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