

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
OF SAN BERNARDINO COUNTY
AND RECORD OF ACTION**

June 25, 2024

FROM

LUTHER SNOKE, Chief Executive Officer, County Administrative Office

SUBJECT

Contracts for Court Appointed Adult Indigent Defense Legal Representation Services

RECOMMENDATION(S)

1. Approve **Contract No. 24-564** with David M. Goldstein, Attorney at Law, to provide court appointed Adult Indigent defense legal representation services in the West Valley and North Desert regions of the San Bernardino County Superior Court for a total not to exceed amount of \$15,000,000, for a period of July 1, 2024, through June 30, 2027, with the option to extend the term two additional one-year periods.
2. Approve **Contract No. 24-565** with Brown, White & Osborne LLP, to provide court appointed Adult Indigent defense legal representation services in East Valley and East Desert regions of the San Bernardino County Superior Court for a total not to exceed amount of \$7,800,000, for a period of July 1, 2024, through June 30, 2027, with the option to extend the term two additional one-year periods.

(Presenter: Matthew Erickson, County Chief Financial Officer, 387-5423)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

Improve County Government Operations.

Operate in a Fiscally-Responsible and Business-Like Manner.

Pursue County Goals and Objectives by Working with Other Agencies and Stakeholders.

FINANCIAL IMPACT

Approval of this item will not result in the use of additional Discretionary General Funding (Net County Cost). The total cost of the contracts will be funded with existing Discretionary General Funding allocated for this service and will not exceed \$7,600,000 per year. Adequate appropriation is included in the 2024-25 budget and will be included in future recommended budgets.

<u>Contractor</u>	<u>Annual Amount</u>	<u>Contract Amount</u>
David M. Goldstein	\$5,000,000	\$15,000,000
Brown, White & Osborn LLP	\$2,600,000	\$ 7,800,000
Total	\$7,600,000	\$22,800,000

BACKGROUND INFORMATION

San Bernardino County (County) uses private sector attorneys on a contractual basis, under appointment by the Superior Court of California, County of San Bernardino (Superior Court), to handle cases where the Public Defender is unable to provide representation due to conflicts. The costs for such appointed services are an obligation of the County. The County Indigent Defense Program administers appointed representation service contracts and services of other

**Contracts for Court Appointed Adult Indigent Defense Legal Representation Services
June 25, 2024**

court appointed attorneys, experts, and investigators for the County’s indigent defendants. These contracts will provide representation for such clients. The County’s existing appointed indigent defense representation contract expires on June 30, 2024, and covers the four Superior Court regions that comprise the entirety of the County: West Valley, East Valley, North Desert, and East Desert. The recommended contracts authorize David M. Goldstein, Attorney at Law (Goldstein), to provide such legal representation services to adult indigents of this County in the West Valley and North Desert regions and authorize Brown, White & Osborne LLP (BWO) to provide such legal representation services to adult indigents of this County in the East Valley and East Desert regions.

PROCUREMENT

The County Administrative Office approved and authorized the release of Request for Proposals (RFP) No. CAO123-CAO5-5344 with the Purchasing Department (Purchasing) on March 15, 2024, to solicit proposals from interested and qualified agencies to provide court appointed adult indigent legal defense representation service providers for a period of three years with two options to extend the term two additional one-year periods. The RFP was released in accordance with County policy and procedures, announced through the Purchasing’s procurement system (ePro), Superior Court website, Riverside County Bar Association and Western San Bernardino County Bar Association newsletter.

Two proposals were received by the established deadline in response to the RFP. Proposals from the agencies listed below met the minimum requirements and continued through the evaluation process.

Proposer Name	Location
David M. Goldstein, Attorney at Law	Rancho Cucamonga, CA
Brown, White & Osborne LLP	Redlands, CA

The evaluation panel, with representation from the County Public Defender, Riverside County, and San Diego County, reviewed and evaluated the proposals based on the criteria listed in the RFP. The criteria included: qualifications and experience, technical workplan, and cost.

Based on the evaluation criteria, the evaluation panel determined that Goldstein and BWO best met the needs of the County. Award letters were sent to all responsible and responsive proposers on June 6, 2024. No protest were received within the allowable period.

Purchasing supports this competitive procurement based on the formal solicitation above.

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Cynthia O’Neill, Chief Assistant County Counsel, 387-5455) on June 3, 2024; Purchasing (Ariel Gill, Supervising Buyer, 387-2070) on June 3, 2024; Finance (Kathleen Gonzalez, Administrative Analyst, 387-5412) on June 3, 2024; and County Finance and Administration (Valerie Clay, Deputy Executive Officer, 387-5423) on June 6, 2024.

**Contracts for Court Appointed Adult Indigent Defense Legal
Representation Services
June 25, 2024**

Record of Action of the Board of Supervisors
San Bernardino County

APPROVED (CONSENT CALENDAR)

Moved: Curt Hagman Seconded: Joe Baca, Jr.
Ayes: Col. Paul Cook (Ret.), Jesse Armendarez, Dawn Rowe, Curt Hagman, Joe Baca, Jr.

Lynna Monell, CLERK OF THE BOARD

BY  _____
DATED: June 25, 2024



cc: CAO - McDonald w/agrees
Contractor - c/o CAO w/agree
File - w/agree
CCM 07/11/2024