

COUNTY OF MONO
REQUEST FOR PROPOSALS
INDIGENT DEFENSE SERVICES



Proposal Submission Deadline – November 22, 2021

Contract Start Date – January 1, 2022 (*On or near*)

Mail Proposal to: Mono County Administrative Office
RFP Public Defender Services
P.O. Box 696
Bridgeport, CA 93517

OR

Email Proposal to: CAO@mono.ca.gov

GENERAL DESCRIPTION

Indigent defense services in Mono County are provided through contracts with three individual attorneys, who collaborate and work together to cover the full scope of indigent defense services, each under a separate contract with the County.

The County of Mono invites proposals from attorneys or law firms interested in providing one-third of the County's indigent defense services under Contract with the County in collaboration with two existing contract public defenders. A proposed version of the Contract is attached hereto and incorporated by reference ("the Contract"). Generally, such services include representation of every person determined by the Superior Court of the State of California in and for the County of Mono to be entitled to a court-appointed attorney pursuant to relevant state statute, court rule, or constitutional provision. The contractual services would commence following award and Contract execution, on or around January 1, 2022. The proposed Contract term is three years, with an option to extend.

The County will pay a fixed monthly rate for all services. The fixed monthly rate shall include and shall be deemed to fully compensate Contractor for any and all expenses incurred in rendering the Contract services, with the exception of certain litigation expenses such as fees for expert witnesses, laboratory analysis, and other forensic services. (See Section IX(E) of the Proposed Contract.)

A qualified proposal would be one that proposes to provide one-third of the required services under contract with the County and in coordination with two other contract attorneys. The County does NOT desire and will not consider proposals to provide only a portion of the total services described in the Scope of Work.

The proposing attorney or firm and any subcontracting attorneys or firms will be required to avoid engaging in legal services or representation that would conflict with, or otherwise render them unavailable for, the services contemplated under the Contract. All attorneys must also meet the minimum qualification requirements, including requisite prior experience in certain types of cases. (See Section VI of the Contract.)

SCOPE OF WORK

As described more fully in the Contract, the Contracting attorney or firm ("Contractor") shall, together with other contracting attorneys, provide representational services to all eligible persons in Mono County trial court actions or proceedings, except where a legal conflict of interest exists and conflict counsel must be appointed or representation by a different attorney is otherwise legally required. Contractor shall provide the names of all attorneys providing representational services under the Contract to the Courts and the County, and the County shall have the right to reject any attorney who is not qualified to provide the services.

SELECTION CRITERIA

The following general criteria will be used by a selection committee designated by the County to determine the best-qualified professional(s) to provide the services. The County reserves the right to reject any proposals that do not comply with the Request for Proposal (“RFP”) requirements set forth herein. The County shall determine in its sole discretion the relative weight given any criterion and reserves the right to reject all proposals and staff the indigent defense program in another manner. The intent is to provide eligible persons with effective legal representation, at a reasonable cost to the County. The County reserves the sole right to make this determination.

- A. The proposal and any modification is complete and timely, in conformance with this RFP.
- B. Attorney(s) are active member(s) of the California Bar in good standing without any prior or current history of professional discipline and otherwise meet the minimum qualification requirements (including requisite years of experience) set forth in Section VI of the Contract.
- C. The proposed plan for delivery of services is adequate to ensure effective legal representation. Among the factors the County may consider are the quality of legal representation, the experience of the attorney(s) beyond the minimum requirements, available support staff, office location(s), caseload and references/recommendations.
- D. The attorney(s) have the ability to perform the Contract effectively and efficiently and to provide representation in the types of cases proposed. Among the factors the County may consider are personal qualifications and successful experience providing public defense services under contract.
- E. The attorney(s) demonstrate an ability to work cooperatively with other contract attorney(s) providing indigent defense services under contract with the County to equitably and appropriately share caseload and provide effective legal representation to all eligible clients except where a legal conflict exists.
- F. Any other relevant considerations as determined by County.
- G. Cost to the County (proposed monthly compensation rate).

ADDITIONAL ITEMS

The County makes no representations or warranties of any kind regarding the total number of cases or the number of any particular type of case that Contractor may be required to handle under the Contract. Contractor expressly assumes that risk and shall be deemed to have done his or her own inquiry prior to submitting a proposal. Be advised that past cases are not necessarily predictors of future filings and each party to the Contract bears some risk regarding the number of cases which may require public defense in any given year.

GUIDELINES FOR SUBMITTING PROPOSALS

Proposals should be submitted in accordance with the following submission guidelines:

- A. Proposal Format:** Proposals should be typed or printed on standard 8 ½” x 11” paper. The information required must be submitted by the date and time requested. Incomplete proposals will not be considered.
- B. Provider Summary:** Prior to the Narrative Section, at the front of the proposal, all proposals must contain a concise statement of all of the following information:
1. Date proposal is submitted to the County.
 2. Summary information for each attorney who would provide services under the Contract and any contemplated attorney subcontract: name, bar number, physical business address, mailing address, phone number(s), year admitted to California Bar, and total years/months of relevant experience.
 3. Summary information for each person involved in contract administration, including anyone who would serve as a contact with the County regarding the contract: name, physical business address, mailing address, phone numbers
- C. Proposal Narrative and Contents:**
1. General Qualifications: This section should include a brief summary of each attorney’s overall experience, training and availability to assume the duties under the proposed Contract.
 2. Public Defense Qualifications: A detailed description of experience and expertise, which qualifies each attorney who would be involved in providing services under the Contract and any contemplated subcontract. Please include names and phone numbers of at least three (3) persons to be contacted as references. Letters of recommendation may also be provided.
 3. Contract Understanding: A statement of assurance that the proposing party has read the proposed Contract. If the party is proposing modifications, include all that would be required by the party prior to executing the proposed Contract. Additionally, the proposing party must include an assurance that he/she will not accept employment or provide legal services that would conflict with the services provided under the proposed Contract.
 4. Practical Approach: A description of the practical approach to providing the services described in the proposed Contract which includes at least the following:
 - a. A brief narrative of the proposal for delivery of services under the Contract. Include the proposal for facilities, staff, division of workload, utilization of experts, investigators, support staff etc.
 - b. A description of how the bilingual requirements of clients will be addressed.
 - c. A plan for collaborating successfully with other attorneys providing indigent defense services under contract with the County to ensure that cases are effectively handled and equitably divided. If possible, a statement from those other attorneys agreeing to cooperate as stated in the plan.
 - d. A plan for backup services in the event the assigned attorney is unavailable (this may be covered in the plan described in subparagraph c if the plan

involves other attorneys under contract for indigent defense services with the County).

5. Work Examples: Written examples of the work of each attorney who would be involved in providing the services, including at least one example of a client communication (e.g., a letter or email) and at least one example of a legal brief or pleading, preferably in a criminal matter. Redacted documents are acceptable.
6. Professional and Personal References: At least two professional references from individuals who are familiar with your work.
7. Proposed Compensation: The fixed monthly rate of compensation proposed to be paid by the County to Contractor.
8. Start Date: Please indicate the date by which you could be available to commence providing services under the Contract.
9. Acknowledgment: The proposal must be signed by the attorney(s) providing the services under the proposal.

D. Submission Procedures/Due Date: Proposals must be received by the County no later than 5:00 p.m., **Monday, November 22, 2021**, in order to be considered. Please submit four (4) copies of the proposal by personal delivery or U.S. Mail, **or** one copy by email, to:

Mono County Administrative Office
Attn: John Craig
Courthouse Annex 1
P.O. Box 696
Bridgeport, California 93517
CAO@mono.ca.gov

Late proposals will not be accepted or considered. The County will not be responsible for proposals delivered to a person or location other than that specified in this RFP. Personal delivery or mailed proposals shall be submitted in a sealed envelope, clearly marked with the title of the proposal and signed by the attorneys submitting it (on behalf of themselves, or their firm if applicable).

All responses to this RFP become the property of the County. The County will direct that all proposals be held confidential from parties other than the County and its selection committee, until the selection of the successful proposal (if any) and execution of a final Contract for services.

A proposal may be withdrawn at any time prior to the deadline for submitting proposals by notifying the County in writing of its withdrawal. The notice must be signed by the attorneys who submitted the original proposal. The proposing party may thereafter submit a new or modified proposal, if it is received at the County Administrative Office by the submission deadline. Modification offered in any other manner, whether oral or written, will not be considered.

The County reserves the right to reject all proposals. The County also reserves the right to negotiate with the successful proposing party (if any) regarding the terms and conditions of any ultimate contract with that party.

E. Questions: All questions must be in writing to receive a response. The County will maintain a written log of written questions along with the answers thereto. For copies of the questions and answers, please contact the County Administrative Officer to be placed on the mailing list. No questions regarding this RFP will be responded to by the County if they are received after **November 12, 2021**.

SELECTION PROCESS

A County selection committee will review and evaluate submittals, based on the criteria listed herein and weighted in the discretion of the committee. Interviews may be conducted. At the conclusion of that process, the selection committee will rank proposals and discussion regarding final Contract terms will commence with the highest-ranked proposer. If agreement is reached through those discussions, the Contract will be recommended for Board Approval. If agreement is not reached, the County will commence negotiations with the next highest-ranked proposer, etc. until agreement is reached and a Contract is drafted for recommendation to the Board of Supervisors.