



**II. FISCAL IMPACT ANALYSIS**

**A. Five Year Summary of Fiscal Impact**

Fiscal Years	<u>2013</u>	<u>2014</u>	<u>2015</u>	<u>2016</u>	<u>2017</u>
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	( 2,500 )	( 10,000 )	( 7,500 )	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
<b>Net Fiscal Impact</b>	<u>( 2,500 )</u>	<u>( 10,000 )</u>	<u>( 7,500 )</u>	_____	_____
<b># ADDITIONAL FTE POSITIONS (Cumulative)</b>	_____	_____	_____	_____	_____

Is Item Included In Current Budget? Yes  X  No \_\_\_\_\_

Budget Account Exp No: Fund Department Unit Object  
 Rev No: Fund 0001 Department 660 Unit 5214 Rev. Source 4299

**B. Recommended Sources of Funds/Summary of Fiscal Impact:**

Departmental Fiscal Review: Stephanie Simpson

**III. REVIEW COMMENTS**

**A. OFMB Fiscal and/or Contract Dev. and Control Comments:**

Susan Neary 10/14/13  
 OFMB <sup>FN</sup> 10/15 <sup>AM</sup> 10/16/13

Dr. J. Jacobson 10/22/13  
 Contract Administration

**B. Legal Sufficiency:**

Genevieve Edelberg 10/22/13  
 Assistant County Attorney

**C. Other Department Review:**

\_\_\_\_\_  
 Department Director

This summary is not to be used as a basis for payment.

**AGREEMENT REINSTATING AND AMENDING THE TERMS OF ORIGINAL  
INTERLOCAL AGREEMENT WITH THE OFFICE OF THE PUBLIC DEFENDER FOR  
PROFESSIONAL PRETRIAL SERVICES**

**THIS AGREEMENT** (hereinafter "Agreement") dated \_\_\_\_\_, by and between Palm Beach County, a Political Subdivision of the State of Florida, by and through its Board of Commissioners (hereinafter referred to as "COUNTY"), and the Office of the Public Defender (hereinafter referred to as the "OFFICE"), a Florida Constitutional Officer, reinstates and amends the Original Agreement ("Original Agreement" R-2012-1030) dated July 10, 2012, to provide professional services by obtaining information for the criminal indigent status application for defendants that are interviewed during the pretrial stage prior to their first appearance hearing at court.

**WITNESSETH:**

**WHEREAS**, the COUNTY and the OFFICE entered into the Original Agreement (R-2012-1030) on July 10, 2012, with an effective date of July 1, 2012, and a termination date of June 30, 2013; and

**WHEREAS**, the OFFICE agreed to reimburse the COUNTY for services in the amount of \$10,000 from July 1, 2012 through June 30, 2013, to complete Applications for Criminal Indigent Status of defendants prior to the defendant's first appearance hearings at court; and

**WHEREAS**, the parties mutually desire to reinstate and amend the terms of the Original Agreement to extend the termination date until June 30, 2015 and provide an additional \$20,000 to the contract amount; and

**WHEREAS**, the COUNTY will be reimbursed by the OFFICE in the amount of \$10,000 per year as set forth in Exhibit B.

**NOW THEREFORE**, in consideration of the mutual representations, terms, and covenants hereinafter set forth, the parties hereto agree as follows:

1. The Original Agreement (R-2012-1030) is reinstated in its entirety.
2. The completion date as referenced in Article 2 (Schedule) of the Original Agreement is extended two years for a termination date of June 30, 2015.
3. The Contract price as referenced in Article 3 (Payments to County), will remain at \$10,000.00 per year for an amended total contract price not to exceed \$30,000. The new schedule of payments is attached hereto as "Exhibit B- Schedule for Payment" showing the new total budget, will replace the original Exhibit B attached to the Original Agreement.
4. Article 8 – Remedies, is amended to include the following language: No provision of this Agreement is intended to, or shall be construed to, create any third party beneficiary or to provide any rights to any person or entity not a party to this Agreement, including but not limited to any citizen or employees of the COUNTY and/or OFFICE.
5. All other provisions of said Original Agreement are hereby confirmed, and except as provided herein, are not otherwise altered or amended and shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement reinstating and amending the terms of the Original Agreement (R-2012-1030), to be executed by their officials thereupon duly authorized.

**ATTEST:**

**SHARON R. BOCK  
CLERK AND COMPTROLLER**

**PALM BEACH COUNTY, FLORIDA a  
Political Subdivision of the State of Florida**

**BOARD OF COUNTY COMMISSIONERS**

By: \_\_\_\_\_  
Deputy Clerk

By: \_\_\_\_\_  
Steven L. Abrams, Mayor

**OFFICE:  
Office of the Public Defender,  
Fifteenth Judicial Circuit**

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

BY: Carey Haughwout  
Carey Haughwout, Public Defender

By: \_\_\_\_\_  
Assistant County Attorney

APPROVED AS TO TERMS  
AND CONDITIONS

Department of Public Safety

By: Vincent J. Bonvento  
Vincent J. Bonvento  
Director of Public Safety

**EXHIBIT "B"**

**SCHEDULE OF PAYMENTS AS AMENDED**

**Costs for Project Period July 1, 2012 – June 30, 2015**

Original contract amount (July 1, 2012- June 30, 2013)	\$10,000
Amendment – Payments for FY 2014:	\$10,000
Amendment – Payments for FY 2015:	<u>\$10,000</u>

**MAXIMUM TOTAL AMOUNT FOR REIMBURSEABLE EXPENSES      \$30,000**

Compensation for the work tasks stated herein shall be in accordance with the following Schedule of Payments:

Task(s) to be Completed: The County Pretrial Services unit of the Justice Services Division will complete the information gathering portion of the criminal indigent status application for defendants that are interviewed during the pretrial stage before their first appearance hearing at the Main Detention Center and West County Detention Center 7 days a week/ 365 days a year.

<b>Activities</b>	<b>Payment at end of each quarter</b>
<p><b>Quarter 1</b></p> <ol style="list-style-type: none"> <li>1. Manage and supervise pretrial services staff that will perform the information gathering (via interviews) portion of criminal indigent status application.</li> <li>2. On a daily basis, use the application for criminal indigent status developed by the Florida Clerks of Court Operations Corporation and approved by the Florida Supreme Court on 3/19/09 to collect information from each defendant that is interviewed prior to their first appearance hearing.</li> <li>3. Submit each application for criminal indigent status to the Clerk's office for determination of indigency daily.</li> </ol>	<p>\$2,500.00</p>
<p><b>Quarter 2</b></p> <ol style="list-style-type: none"> <li>1. Manage and supervise pretrial services staff that will perform the information gathering (via interviews) portion of criminal indigent status application.</li> <li>2. On a daily basis, use the application for criminal indigent status developed by the Florida Clerks of Court Operations Corporation and approved by the Florida</li> </ol>	<p>\$2,500.00</p>

Agreement for Pretrial Services

<p>Supreme Court on 3/19/09 to collect information from each defendant that is interviewed prior to their first appearance hearing.</p> <p>3. Submit each application for criminal indigent status to the Clerk's office for determination of indigency daily.</p>	
<p><b>Quarter 3</b></p> <p>1. Manage and supervise pretrial services staff that will perform the information gathering (via interviews) portion of criminal indigent status application.</p> <p>2. On a daily basis, use the application for criminal indigent status developed by the Florida Clerks of Court Operations Corporation and approved by the Florida Supreme Court on 3/19/09 to collect information from each defendant that is interviewed prior to their first appearance hearing.</p> <p>3. Submit each application for criminal indigent status to the Clerk's office for determination of indigency daily.</p>	<p>\$2,500.00</p>
<p><b>Quarter 4</b></p> <p>1. Manage and supervise pretrial services staff that will perform the information gathering (via interviews) portion of criminal indigent status application.</p> <p>2. On a daily basis, use the application for criminal indigent status developed by the Florida Clerks of Court Operations Corporation and approved by the Florida Supreme Court on 3/19/09 to collect information from each defendant that is interviewed prior to their first appearance hearing.</p> <p>3. Submit each application for criminal indigent status to the Clerk's office for determination of indigency daily.</p>	<p>\$2,500.00</p>