



**Henry County
Purchasing Department**
140 Henry Parkway, McDonough, GA 30253
Phone: 770-288-6027 Fax: 770-288-6047

Website: henrycounty-ga.com/purchasing

ADDENDUM #1

Issued August 7, 2020

RFP # 21-11

State Court Indigent Defense Services

Due Date and Time: August 17, 2020, 3:00 PM

The following items take precedence over referenced portions of the documents for the above-named project and in executing a contract, will become a part thereof. Where any item in the documents is supplemented hereby, the original requirements will remain in effect. All supplemental conditions will be considered as added thereto. Where any original item is amended, voided or superseded hereby, the provisions of such items not so specifically amended, voided or superseded will remain in effect.

Revision:

A. BACKGROUND

The Henry County Board of Commissioners is seeking proposals from qualified vendors to provide legal services to defendants charged as adults with misdemeanor and traffic offenses in Henry County and who qualify for indigent counsel. **This RFP is for a single contract, and the winning vendor will be expected to continue representation of defendants whose cases move from Magistrate Court to State Court.”**

This Addendum #1 must be signed and attached to proposal to acknowledge receipt of Addendum.
Failure to acknowledge any addenda will result in a non-responsive bid.

Company's Name

Date

Authorized Representative's Name

Authorized Representative's Signature

RFP # 21-11
State Court Indigent Defense Services
Questions and Answers

Note that State Court calendars vary by month, so number of days is an approximation. Likewise, case loads vary and so numbers of defendants to be served per month or year, and numbers of proceedings, are necessarily approximations.

1. **Question:** Please provide the average number of days per courtroom each month that requires Indigent Counsels' appearance in State Court.
Answer: **14-15 days each month for two indigent defense attorneys per courtroom.**
2. **Question:** Please provide the average number of days per courtroom each month that requires Indigent Counsel's appearance in Magistrate Court or Jail Court.
Answer: **30-31 – Magistrate Court runs a jail calendar 7 days a week, including holidays and weekends. Indigent counsel's appearance is required at each of these calendars. Additionally, we will need indigent appearance approximately five (5) days out of the month for code enforcement and other calendars.**
3. **Question:** Please provide the average number of indigent defendants per month who require services in State Court.
Answer: **500 (Approximated)**
4. **Question:** Please provide the average number of indigent defendants per month who require services in magistrate court per month.
Answer: **Approximately 90**
5. **Question:** Please specify the dates and hours during the weekend when Magistrate or Jail Court requires representation from indigent counsel.
Answer: **Magistrate Court requires the appearance of indigent counsel on Saturdays, Sundays and holidays. Calendars begin at 8:00 am and conclude once the business of the court has been resolved. Indigent Counsel typically appears 30 minutes to an hour prior to the start of the calendar to speak with defendants. Calendars last an average of two to three hours on the weekends. Calendars are typically longer on holidays.**
6. **Question:** Please provide the average number of indigent defendants that require bench trials per month for each courtroom.
Answer: **Magistrate Court bench trials typically occur one day out of the month and approximately 8-10 defendants require indigent counsel. State Court bench trial calendars typically occur twice each month and approximately (1) one defendant requires indigent counsel each month for both calendars. (Most defendants represented by counsel opt for jury trial rather than bench trial.)**
7. **Question:** Please provide the average number of indigent defendants that require jury trials per month for each court room.
Answer: **5-7 (however the number of defendants whose cases are prepared for trial are substantially more).**
8. **Question:** Please provide the average number of indigent defendants that require jury trials per quarter for each court room.
Answer: **15-20.**

9. **Question:** Please provide average number of indigent defendants that require motion hearings per month for each courtroom.
Answer: **4 (however the number of defendants whose cases are prepared for motion hearing are substantially more).**
10. **Question:** Please provide an explanation of whether the purchasing department is the entity responsible for providing an addendum related to the August 10, 2020 deadline for first addendum.
Answer: **The Purchasing Department will request the webmaster to post the addendum with the RFP information located on the Purchasing Department's webpage.**
11. **Question:** Please explain the method the county will use to respond to each vendor's specific question(s).
Answer: **Questions received by the deadline (August 3, 2020) are answered in this addendum.**
12. **Question:** Please explain the method the county will use to respond to all of the vendors' questions submitted on or by August 3, 2020?
Answer: **Questions received by the deadline (August 3, 2020) are answered in this addendum.**
13. **Question:** What date will the county respond to vendors' questions?
Answer: **The deadline for the addendum is 3:00 PM on August 10, 2020.**
14. **Question:** Will the purchasing department compile a list of all vendors' questions?
Answer: **Yes.**
15. **Question:** Please explain whether the county will compile and provide a list of all vendors' questions to all vendors.
Answer: **Questions received by the deadline (August 3, 2020) are answered in this addendum.**
16. **Question:** What was the annual budget for the previous indigent defense state court program?
Answer: **For fiscal year 2020, \$724,089.00 was spent for indigent defense services. This figure may include amounts paid to conflict counsel.**
17. **Question:** What was the annual budget for indigent defense state court program for the past three (3) consecutive years?
Answer: **The following amounts were spent for indigent defense services: fiscal year 2018 - \$719, 288.00, fiscal year 2019 - \$769,057.50, and fiscal year 2020 - \$724,089.00. These figures may include amounts paid to conflict counsel.**
18. **Question:** How many indigent defendants were represented by the prior contractor for past three years?
Answer: **For the past three (3) years, the previous contractor has represented 6054 defendants in either Magistrate Court, State Court, or both.**
19. **Question:** What date are services to be commenced?
Answer: **Commencement date as set forth in the contract.**
20. **Question:** Will the contract renew automatically if the vendors perform contractual services satisfactorily?
Answer: **As per RFP, E. Contract Terms, 3. The term of any Agreement entered into with the Indigent Counsel shall commence on the date of execution of such Agreement and shall terminate absolutely and without further obligation on the part of County at the close of the calendar year in**

which this Agreement is executed unless and until the governing authority of Henry County adopts a resolution, prior to the close of the then current year, electing to renew this Agreement for the following calendar year.

21. Question: In light of COVID 19, what are the technology requirements to provide indigent services as it relates to communicating with the Court and the Indigent Defendants?

Answer: **Magistrate Court is presently conducting all hearings and trials via WebEx, Zoom with the aid of DocuSign. The technology requirements for each platform may be accessed via the links listed below:**

<https://help.webex.com/en-us/nki3xrq/Webex-Meetings-Suite-System-Requirements>

<https://support.zoom.us/hc/en-us/articles/201362023-System-requirements-for-Windows-macOS-and-Linux>

<http://docusign.com>

Additionally, Internet access, a printer, a scanner, and a forward facing cameras are required for the purposed of submitting the application for a judge's review and executing conditional bonds, plea paperwork and other court documents. An email address for each attorney as well as an office and cellular phone number for each attorney. Attorneys also need sufficient computer hardware and software to communicate remotely with the court, the solicitor, and their clients.

22. Question: Are there any consideration for technology used (i.e. WebEx, Zoom) for videoconferencing and for court appearances?

Answer: **Please see our response to question #21, above. Additionally, the court is presently holding court virtually through Zoom and WebEx, so each attorney would need to have the ability to access such a platform for court appearances.**

23. Question: Is there a provision to allow for the vendor to use subcontractor attorneys for emergency issues (i.e. medical/unplanned leave, etc.)?

Answer: **No. Any and all Attorneys whether employees of the contractor or whether subcontract attorneys would be required to be approved by the court.**

24. Question: In terms of dates, please clarify the terms of the contract? Section II -E on Page 14 Is not clear.

Answer: **Dates set forth in the contract.**

RFP #21-11
State Court Indigent Defense Services – Magistrate Court
COST PROPOSAL (Revised)

(Note: Proposer must sign and submit their cost proposal in a separate sealed enveloped marked as “Cost Proposal.”)

Description of Service	Unit	Cost
Flat fee, commitment hearing only	Maximum Each	\$
Flat fee, plea/sentencing at first court appearance	Maximum Each	\$
Flat fee, plea/sentencing at first State Court appearance following Magistrate Court appearance	Maximum Each	\$
Flat fee, probation revocation, single appearance	Maximum Each	\$
Extradition Proceeding	Maximum Each	\$
All others, including not guilty pleas/contested probation hearings/appeals	Out-of-Court Time, per hour	\$
	In-Court Time, per hour	\$

 Company’s Name

 Date

 Authorized Representative’s Name
 (Print or Type)

 Authorized Representative’s Signature

RFP #21-11
State Court Indigent Defense Services – State Court
COST PROPOSAL (Revised)

(Note: Proposer must sign and submit their cost proposal in a separate sealed enveloped marked as “Cost Proposal.”)

Description of Service	Unit	Cost
Administrative Dismissal (State Court)	Maximum Each	\$
Plea/Sentencing	Maximum Each	\$
Commitment Hearing/Plea/Sentencing	Maximum Each	\$
Nolle Prosequi at Arraignment	Maximum Each	\$
Bench Warrant issued	Maximum Each	\$
Plea after Bench Warrant executed	Maximum Each	\$
Pre-trial Intervention	Maximum Each	\$
Pre-trial Intervention (post arraignment)	Maximum Each	\$
Withdrawal	Maximum Each	\$
Withdrawal (3 or more appearances)	Maximum Each	\$
Probation Revocation	Maximum Each	\$
Extradition	Maximum Each	\$
All others, including not guilty pleas/contested probation hearings/appeals	Out-of-Court Time, per hour	\$
	In-Court Time, per hour	\$

 Company’s Name

 Date

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 (Print or Type)

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