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DELIA BRIONES
COUNTY CLERK
EL PASO COUNTY, TEXAS



NOTICE OF A PUBLIC MEETING

Notice pursuant to Texas Government Code §2254.1036(a) and §551.041 is hereby given that a meeting of El Paso County will be held on Monday, September 13, 2021 at 9:30AM at the El Paso County Courthouse, Commissioners Court Chambers, 500 East San Antonio Room 303 El Paso, Texas 79901, for the purpose of considering and taking action on all matters on the agenda for the meeting, including approval of an agreement with the law firm of Delgado Acosta Spencer Linebarger & Perez, LLP, (DASLP) as special counsel to perform all legal services necessary to collect unpaid fines, fees and court costs as provided in Texas Code of Criminal Procedure Art. 103.0031 and Texas Local Government Code Section 140.009 and authorizing the execution of such agreement.

On November 19, 2020, Commissioners Court approved the solicitation process for contracting a private attorney or vendor to provide El Paso County (the "County") collection services. Thereafter, on May 17, 2021, the Commissioners Court approved and authorized the County's Purchasing Agent to award RFP 21-013 Collection Agency Services Fees for Budget & Fiscal Policy for the County to the highest scoring firm, Delgado Acosta Linebarger & Perez, LLP of El Paso, Texas (the "Firm").

The agreement which was negotiated for a fair and reasonable price, is considered to be necessary for the collection of unpaid fines, fees and court costs owed to El Paso County, which shall be collected in the most effective manner. The County desires that such unpaid fines, fees and court costs be collected as provided in the Texas Code of Criminal Procedure and the Texas Local Government Code.

DASLP is fully qualified to provide this representation, being part of the largest law firm specializing in the collection of governmental receivables in the State of Texas, as well as the United States, and having been engaged in this specialized legal service for more than 40 years. In addition, DASLP possesses infrastructure and technology, such as call center technology, that the County does not currently possess.

DASLP previously represented the County with competence and professionalism, in the collection of unpaid fines, fees and court costs from August of 2003 to August of 2017.

The specialized legal services required by this agreement cannot be adequately performed by the attorneys and supporting personnel of the County due to the high cost of implementing the appropriate infrastructure and technology and employing sufficient in-house attorneys and staff with the level of experience and competence necessary to perform these activities.

DASLP will be compensated on a contingent fee basis as provided in Texas Code of Criminal Procedure Art. 103.0031 and Texas Local Government Code Section 140.009. These Statutes specifically provide for an additional collection fee in the amount of 30 percent in certain cases to compensate collection attorneys. A contract to pay inside or outside attorneys on an hourly basis would represent an additional cost to the County.

Entering into the proposed agreement is in the best interest of the residents of the County because the unpaid fines, fees and court costs will be professionally and competently collected without the additional costs to the County of implementing infrastructure and technology, and employing in-house personnel or paying outside counsel on an hourly fee basis which would otherwise be required.