

**SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

146



**FROM:** Stanley L. Sniff Jr., Sheriff-Coroner-PA

**SUBMITTAL DATE:**  
11/15/2011

**SUBJECT:** Approval of Jones and Mayer Attorney Services

**RECOMMENDED MOTION:** Move that the Board of Supervisors:  
Authorize the Purchasing Agent to purchase attorney services from Jones and Mayer for the Sheriff's Department, at a cost not to exceed \$50,000 annually, renewable in one year increments, through June 30, 2016, without securing competitive bids, in accordance with Ordinance 459.4.


**BACKGROUND:** Past and present Sheriffs have utilized the firm of Jones and Mayer over the years to provide research, analysis and opinions on issues specifically related to law enforcement litigations such as the California Public Safety Officers Procedural Bill of Rights Act (POBR), Megan's Law, and more recently the state realignment issues. As General Counsel to the California State Sheriff's Association and the California Police Chiefs Association, the firm of Jones and Mayer is considered to be the experts in law enforcement litigation.

  
Stanley L. Sniff Jr., Sheriff-Coroner-PA  
Will Taylor, Director of Administration

<b>FINANCIAL DATA</b>	Current F.Y. Total Cost:	\$50,000	In Current Year Budget:	Yes
	Current F.Y. Net County Cost:	\$0	Budget Adjustment:	No
	Annual Net County Cost:	\$0	For Fiscal Year:	FY 2011-12

<b>SOURCE OF FUNDS:</b> Department Budget BR 12-046	<b>Positions To Be Deleted Per A-30</b>	<input type="checkbox"/>
	<b>Requires 4/5 Vote</b>	<input type="checkbox"/>

**C.E.O. RECOMMENDATION:**

APPROVE  
  
BY: Robert Tremaine

**County Executive Office Signature**

ATTACHMENTS FILED WITH THE CLERK OF THE BOARD  
 Departmental Concurrence  
 Purchasing Agent: Mark Seltzer, Assistant Director

- Policy
- Policy
- Consent
- Consent

Dep't Recomm.:  
Per Exec. Ofc.:

3.29

## **Single Source Approval for Jones and Mayer**

**BR 12-046**

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Jones and Mayer specialize in the field of police litigation issues and the California Public Safety Officers Procedural Bill of Rights Act (POBR). The firm of Jones and Mayer has published several books concerning the same, provides classroom instruction throughout California on the topic and has a very extensive Internet site with client alerts and publications. The firm also offers expertise in the field of municipal law, employment litigation, writs and appeals, tort litigation and civil litigation. Often issues arise in these ancillary fields and are directly impacted by POBR implications and other considerations exceptional to law enforcement.

The Sheriff's Department is a very unique entity that is governed largely by POBR, while other county entities are not impacted. The expertise of the Jones and Mayer firm in the field of police litigation allows for a more specialized and complex area of the law. When necessary, the firm of Jones and Mayer can provide an independent and impartial legal analysis needed to avoid conflicts of interest or the perception of a conflict. Additionally, there are times when legal advice is necessary outside normal business hours and the firm of Jones and Mayer is available if this necessity arises.

### **Price Reasonableness**

Due to their longstanding history with the County of Riverside, the hourly rate of \$185 per hour is significantly less than the hourly rate charged to most of their law enforcement clients. Newer clients are brought in at a higher rate.

Date: November 15, 2011  
From: Will Taylor, Director of Finance Department/Agency: Sheriff's Administration  
To: Board of Supervisors/Purchasing Agent  
Via: Purchasing Agent  
Subject: Single Source Procurement; Request for Attorney Services

The below information is provided in support of my Department requesting approval for a single source. Outside of a duly declared emergency, the time to develop a statement of work or specifications is not in itself justification for single source.

1. **Supply/Service being requested:** Attorney Services for issues specifically related to law enforcement litigation.
2. **Supplier being requested:** Jones and Mayer
3. **Alternative suppliers that can or might be able to provide supply/service:** None in California with the level of expertise as Jones and Mayer.
4. **Extent of market search conducted:** Past and present Sheriffs have utilized the firm of Jones and Mayer over the year to provide research, analysis and opinions on issues specifically related to law enforcement such as the California Public Safety Officers Procedural Bill of Rights Act (POBR), Megan's Law, and more recently the state realignment issues. As General Counsel to the California State Sheriff's Association and the California Police Chiefs Association, Jones and Mayer are considered to be the experts in law enforcement litigation.
5. **Unique features of the supply/service being requested from this supplier, which no alternative supplier can provide:** Attorney Mayer serves as legal counsel to the Sheriffs and Chiefs of Police in about 70 law enforcement agencies throughout California. Mayer serves as General Counsel to the California State Sheriff's Association (CSSA) and is General Counsel to other law enforcement associations including the California Police Chiefs Association.
6. **Reasons why my department requires these unique features and what benefit will accrue to the county:** Jones and Mayer specialize in the field of police litigation issues and the California Public Safety Officers Procedural Bill of Rights Act (POBR). The firm of Jones and Mayer has published several books concerning the same, provides classroom instruction throughout California on the topic and has a very extensive Internet site with client alerts and publications. The firm also offers expertise in the field of municipal law, employment litigation, writs and appeals, tort litigation and civil litigation. Often issues arise in these ancillary fields and are directly impacted by POBR implications and other considerations exceptional to law enforcement.

The Sheriff's Department is a very unique entity that is governed largely by POBR, while other county entities are not impacted. The expertise of the Jones and Mayer firm in the field of police litigation allows for a more specialized and complex area of the law. When necessary, the firm of Jones and Mayer can provide an independent and impartial legal analysis needed to avoid conflicts of interest or the perception of a conflict. Additionally, there are times when legal advice is necessary outside normal business hours and the firm of Jones and Mayer is available if this necessity arises.

- 7. **Price Reasonableness including purchase price and any ongoing maintenance or ancillary costs from the supplier:** Due to their longstanding history with the County of Riverside, the hourly rate of \$185 per hour is significantly less than the hourly rate charged to most of their law enforcement clients. Newer clients are brought in at a higher rate.
- 8. **Does moving forward on this product or service further obligate the county to future similar contractual arrangements or any ongoing costs affiliated with this sole source? (Maintenance, support, or upgrades, if so, please explain).** No.
- 9. **Period of Performance:** Not to exceed \$50,000 annually, renewable in one year increments through June 30, 2016, as long as price increases do not exceed the CPI, and funds are available in the budget.

*[Signature]* 11/21/11  
 Chief Deputy Signature Date

\_\_\_\_\_  
 Department Head Signature Date

Purchasing Department Comments:

Approve Approve with Condition/s Disapprove  
 Not to exceed: \$ 50,000  One time  Annual Amount through 6-30-2016

*[Signature]* 11-23-11 12-307  
 Purchasing Agent Date Approval Number  
(Reference on Purchasing Documents)