



Agenda Date: 11/21/2006
Agenda Placement: 6A

NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

TO: Board of Supervisors
FROM: Gary Lieberstein - District Attorney
District Attorney
REPORT BY: Carol Strobel, Administrative Services Officer, 253-4215
SUBJECT: Agreement with D.S. Stephens and Associates

RECOMMENDATION

District Attorney requests approval of and authorization for the Chair to sign an agreement (AUD No. 5742) with D. S. Stephens & Associates for a maximum of \$75,000 for the term May 1, 2005 through June 30, 2007 for forensic accounting and investigative services.

EXECUTIVE SUMMARY

Under the signing authority of the Chief Executive Officer, the District Attorney retained D.S. Stephens and Associates as a forensic financial examiner in the People v. Posey case. This agreement amends the original agreement and increases the contract maximum by \$45,000 to a new maximum of \$75,000. The work under this contract is now complete and the actual amount to be invoiced will not exceed \$50,000.

FISCAL IMPACT

Is there a Fiscal Impact?	Yes
Is it currently budgeted?	Yes
Where is it budgeted?	District Attorney
Is it Mandatory or Discretionary?	Discretionary
Discretionary Justification:	The County is required to pay for prosecutorial expenses. The services this contractor provided were needed in the homicide prosecution of the People v. Posey.
Is the general fund affected?	Yes
Future fiscal impact:	None

Consequences if not approved: If this agreement is not approved, D.S. Stephens and Associates will not be paid for services provided in the People v. Posey homicide prosecution.

Additional Information: This agreement is written and budgeted for a maximum of \$75,000. However, the People v. Posey case is now complete and services are no longer being used. The actual amount to be billed by D.S. Stephens and Associates will not exceed \$50,000.

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

BACKGROUND AND DISCUSSION

Under the signing authority of the County Executive Officer, the District Attorney contracted with D.S. Stephens and Associates in May 2005 for the provision of forensic accounting and investigative services as well as court testimony for the homicide prosecution of the People v. Posey.

As the case progressed, additional information was required along with the need to increase the contract maximum. This agreement amends the May 2005 agreement and increases the contract maximum by \$45,000 to a new total of \$75,000. Work under this contract is complete and the actual amount to be invoiced will not exceed \$50,000.

Unexpected circumstances within the District Attorney's Office and the need to devote staff resources to the People v. Posey case led to a delay in executing this contract.

SUPPORTING DOCUMENTS

None

CEO Recommendation: Approve

Reviewed By: Molly Rattigan