



Legislation Details (With Text)

File #: ID 17-282 **Version:** 1 **Name:**
Type: Ordinance
File created: 2/17/2017 **In control:** City Council
On agenda: 3/7/2017 **Final action:**
Title: Consider adoption of an ordinance accepting competitive proposals and awarding a three (3) year agreement for Collection Services for Municipal Court Fines (Part C), by and between the City of Denton, Texas and Linebarger, Goggan, Blair, and Sampson, LLP; providing for the expenditure of funds therefor; and providing an effective date (RFP 6133 Part C-awarded to Linebarger, Goggan, Blair, and Sampson, LLP in an amount which is contingent upon its monetary recoveries from persons, in accordance with the percentages expressed in attached contract).

Sponsors:

Indexes:

Code sections:

Attachments: 1. Exhibit 1-Evaluation And Ranking Sheet, 2. Exhibit 2-Ordinance, 3. Exhibit 3-Signed Contract

Date	Ver.	Action By	Action	Result
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AGENDA INFORMATION SHEET

DEPARTMENT: Materials Management

ACM: Bryan Langley

AGENDA DATE: March 7, 2017

SUBJECT

Consider adoption of an ordinance accepting competitive proposals and awarding a three (3) year agreement for Collection Services for Municipal Court Fines (Part C), by and between the City of Denton, Texas and Linebarger, Goggan, Blair, and Sampson, LLP; providing for the expenditure of funds therefor; and providing an effective date (RFP 6133 Part C-awarded to Linebarger, Goggan, Blair, and Sampson, LLP in an amount which is contingent upon its monetary recoveries from persons, in accordance with the percentages expressed in attached contract).

RFP INFORMATION

Municipal Court is responsible for the collection of fines resulting from the issuance of citations by various law enforcement agencies. After a defendant enters a plea before the Judge, a fine is assessed as a part of the judgment. Payment of the fine is due at the time of the assessment; however, the defendant also has the option to request a thirty (30) day extension by completing a Collections Contact Information sheet. If the defendant is unable to pay within the agreed thirty day timeframe, the defendant may apply for an additional payment agreement with the Court Collections office. If the defendant does not qualify for an additional arrangement, the fine amount becomes due immediately.

A Capias Pro-Fine Warrant is issued for the defendant's arrest in the event he or she does not pay within the initial thirty (30) day timeframe, fails to qualify for an additional arrangement or defaults on an existing payment arrangement. A \$50.00 fee is added to the fine upon issuance of the warrant. If the defendant has not remitted payment within sixty (60) days from the activation date of the warrant, the debt is referred to a third party collection vendor. Municipal Court's agreement with a collection vendor includes a mark-up of thirty percent (30%), as mandated by the Texas Code of Criminal Procedures, Article 103.0031, to the total debt which a vendor keeps upon collection of the debt. In addition to Capias Pro-Fine Warrants, the Municipal Court also sends for collection of arrest warrants in which the defendant has never appeared to answer to the charge.

The City's current contract with Linebarger, Goggan, Blair, and Sampson, LLP for collection services expires on March 15, 2017. To ensure continuity of service, the City issued RFP 6133 to solicit proposals from qualified vendors to provide these collection services.

Because the collection of debt is handled somewhat differently by each department, the receivables were separated for evaluation purposes into the following three parts: Utilities (Part A), Fire/EMS, Code Enforcement and miscellaneous receivables (Part B), and Municipal Court fines (Part C).

Requests for Proposals were sent to 72 prospective suppliers. In addition, specifications were placed on the Materials Management website for prospective suppliers to download and advertised in the local newspaper. Six (6) proposals for the Municipal Court Collections (Part C) were received.

Proposals for the collection of delinquent Municipal Court fines and warrants were evaluated utilizing the following criteria:

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|---|-----|
| 1. Years of experience in Texas municipal court collections
(Probable Performance) | 30% |
| 2. Experience with electronic data and payment transfer | 35% |
| 3. Warrant collection experience | 10% |
| 4. Collection procedures | 15% |
| 5. Process and timing of payments to City and billing for services | 10% |

The attached evaluation and ranking sheet (Exhibit 1) indicates the scoring and ranking for each vendor. After reviewing each vendor proposal and checking references, the top three (3) companies were invited to provide a presentation to the evaluation committee. Linebarger, Goggan, Blair, and Sampson, LLP (Linebarger) was ranked the highest and determined to be the best value for the City. During this process, it was determined by the evaluation committee that through a partnership with Linebarger, the City's Municipal Court will continue to increase its revenue stream by taking advantage of Linebarger, Goggan, Blair, and Sampson's solid experience and reputation in working closely with a vast range of municipal courts across Texas. The City's Municipal Court will also operate more efficiently by utilizing Linebarger's state-of-the-art technological compatibility with Incode, which includes an automated payment posting program. Linebarger, Goggan, Blair, and Sampson has been the City's contractor for this service since 2011. Since the inception of the current contract with Linebarger through the last fiscal year end, the Municipal Court has received \$1,526,638.90 in collected fines and fees with their services. In compliance with the collections section of the Texas Code of Criminal Procedures, Section 103.0031(b) and the City's agreement with the firm, the State mandated fee of 30 percent (30%) will be added to each delinquent fine collected. Subsequently, the City will receive the full amount of each fine collected, minus the 30 percent (30%) collection fee.

RECOMMENDATION

Award RFP 6133 **Part C-Municipal Court Debts and Account Receivables** to Linebarger, Goggan, Blair, and Sampson, LLP in an amount which is contingent upon its monetary recoveries from persons, in accordance with the percentages expressed in attached contract.

PRINCIPAL PLACE OF BUSINESS

Linebarger, Goggan, Blair, and Sampson, LLP
Fort Worth, TX

ESTIMATED SCHEDULE OF PROJECT

This is a one year contract with the option to renew for two additional one year periods if agreed upon by both parties. This award will provide continued partnership with the City of Denton and Linebarger, Goggan, Blair, and Sampson, LLP, and will require no implementation time.

FISCAL INFORMATION

The firm's fee is collected directly from each defendant payment; therefore no City funds will be expended.

STRATEGIC PLAN RELATIONSHIP

The City of Denton's Strategic Plan is an action-oriented road map that will help the City achieve its vision. The foundation for the plan is the five long-term Key Focus Areas (KFA): Organizational Excellence; Public Infrastructure; Economic Development; Safe, Livable, and Family-Friendly Community; and Sustainability and Environmental Stewardship. While individual items may support multiple KFAs, this specific City Council agenda item contributes most directly to the following KFA and goal:

Related Key Focus Area: **Organizational Excellence**
Related Goal: **1.1 Manage financial resources in a responsible manner**

Respectfully submitted:
Ethan Cox, 349-7421
Customer Service Manager

For information concerning this acquisition, contact: Robin Ramsay at 349-8139.