

Consideration of Contingent Fee Legal Services Contract with Perdue, Brandon, Fielder, Collins & Mott, LLP for Delinquent Tax Collection Services Pursuant to the Notice Posted with Agenda

ADMINISTRATION RECOMMENDATION/REPORT

The administration recommends that the Board of Trustees approve a contingent fee contract with Perdue, Brandon, Fielder, Collins and Mott, LLP (PBFCM), pursuant to Section 6.30 of the Texas Property Tax Code, for the collection of delinquent ad valorem taxes owed to San Jacinto Community College District. Notice of said contract was posted with the agenda in accordance with Section 2254 of the Government Code.

BACKGROUND

In accordance with Section 6.30 of the Texas Property Tax Code, the College shall contract with a law firm to collect delinquent ad valorem taxes. The current attorney who provides this service is retiring; therefore, the College issued a solicitation to select the most qualified firm to continue providing this service.

Request for qualifications (RFQ) #25-31 was issued on April 30, 2025, to procure delinquent tax collection services, which complies with the competitive procurement requirements per Texas Education Code §44.031(a). Two responses were received and evaluated by a team comprised of representatives from fiscal affairs, facilities services, comptroller, and finance who determined the proposal submitted by PBFCM will provide the best value to the College.

Section 2254 of the Government Code requires a contingent fee contract to be considered and approved at an open meeting by the Board of Trustees. To comply with this, the following three items are required.

1. Public Notice - The public notice must be posted before or at the time the college gives written notice of their open meeting under Section 551.041. (Complete)
2. Agenda Item - The agenda Item must include specific language regarding the contingent fee contract. (Complete)
3. Written Findings - At the open meeting, the Board of Trustees must approve the agenda item for the contingent fee contract, and it must approve and sign the Written Findings as to the Collections Contract with PBFCM. (To be completed at the June 17th special meeting of the Board of Trustees.)

IMPACT OF THIS ACTION

It is recommended that the contract for delinquent tax collection services be awarded to PBFCM to continue this essential service on behalf of the College. Engaging a law firm to manage the tax collection process ensures that it is conducted professionally and in full compliance with applicable laws.

**Action Item “VIII”
Special Board Meeting June 17, 2025**

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BUDGET INFORMATION (INCLUDING ANY STAFFING IMPLICATIONS)

Continuation of this service is expected to result in the recovery of additional delinquent ad valorem taxes, along with associated penalties and interest, which constitute revenue for the College. The total amount of compensation to PBFCM will be negotiated but may not exceed 20 percent of the amount of delinquent tax, penalty, and interest collected. Additionally, the contract may include other concessions, stipulations and requirements.

MONITORING AND REPORTING TIMELINE

The initial three-year award term will commence on July 1, 2025, through June 30, 2028, with two one-year renewal options.

ATTACHMENTS

Attachment 1 - Tabulation

Attachment 2 - Written Findings as to the Collections Contract with PBFCM

RESOURCE PERSONNEL

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RFQ #25-31
Delinquent Tax Services
Attachment 1 – Tabulation

QUALIFICATIONS

#	Vendors	Section 1: Firm Experience	Section 2: Personnel Experience	Section 3: Project Understanding	Section 4: References	Section 5: Exceptions to Terms	Total Points	Short List
	<i>Total Points</i>	20	20	35	20	5	100	
1	Perdue Brandon Fielder Collins & Mott, LLP	17.00	15.50	30.63	17.50	5.00	85.63	Yes
2	Linebarger Goggan Blair & Sampson, LLP	17.60	16.40	30.10	14.80	5.00	83.90	Yes

FINAL SCORES

#	Shortlist Vendors	Qualification	Presentation	Question and Answer	Final Score
	<i>Total Points</i>	100	20	20	140
1	Perdue Brandon Fielder Collins & Mott, LLP	85.63	20.00	20.00	<i>125.63</i>
2	Linebarger Goggan Blair & Sampson, LLP	83.90	13.75	14.50	<i>112.15</i>

**SAN JACINTO COMMUNITY COLLEGE DISTRICT
WRITTEN FINDINGS AS TO THE COLLECTIONS CONTRACT WITH
PERDUE, BRANDON, FIELDER, COLLINS & MOTT, LLP**

In an open meeting, the Board of Trustees for San Jacinto Community College District considered all matters listed in Section 2254.1036(a)(1) of the Government Code as they relate to a contingent fee contract with Perdue, Brandon, Fielder, Collins and Mott, LLP.

The Board of Trustees, pursuant to Section 2254.1036(b) of the Government Code, hereby finds the following to be true: 1) there is a substantial need for the legal services specified in said contract; 2) these legal services cannot be adequately performed by the attorneys and supporting personnel of San Jacinto Community College District; and 3) these legal services cannot reasonably be obtained from attorneys in private practice under contract providing only for the payment of hourly fees, without regard to the outcome of the matter, because of the nature of the matter for which these services will be obtained and because San Jacinto Community College District does not have funds to pay the estimated amounts required under a contract providing only for the payment of hourly fees.

Therefore, this Board of Trustees hereby approves the contract by and between San Jacinto Community College District and Perdue, Brandon, Fielder, Collins & Mott, LLP for professional legal services regarding the collection of delinquent ad valorem taxes to be paid in accordance with Section 6.30 of the Texas Property Tax Code.

APPROVED and EXECUTED on the 17th day of June 2025.

Chair, Board of Trustees

ATTEST:

(Seal)

Secretary/Designee, Board of Trustees