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|  | REQUEST FOR PROPOSALS |
| ***JUDICIAL COUNCIL OF CALIFORNIA***  **Regarding: Judicial Workload Study Research Consultant**  **RFP #OCR-2018-02-lv**  **PROPOSALS DUE:**  **April 19, 2018 no later than 3:00p.m. Pacific time** |

**1.0 BACKGROUND INFORMATION**

* 1. Judicial Council of California (“Judicial Council”). The Judicial Council of California, chaired by the Chief Justice of California, is the chief policy making agency of the California judicial system. The California Constitution directs the council to improve the administration of justice by surveying judicial business, recommending improvements to the courts, and making recommendations annually to the Governor and the Legislature. The council also adopts rules for court administration, practice, and procedure, and performs other functions prescribed by law. The JCC also comprises the staff agency for the council that assists both the council and its chair in performing their duties.
  2. The Office of Court Research (OCR), housed in the Judicial Council’s Budget Services Division, conducts research on key issues of court administration and acts as an internal research consultant to the Judicial Council, its advisory bodies, and its staff. OCR provides key analytic and research support in areas such as trial court workload assessment, resource need, and other research projects. OCR is currently undertaking an update to the Judicial Workload Study, a workload-based model used to assess judicial workload and determine judicial need in the trial courts. These studies were approved to be updated every five years to assure that workload measures accurately represent up-to-date information and practices in the trial courts.
  3. OCR is conducting a judicial workload study in-house seeks a consultant to support specific aspects of the study. The consultant will be expected to assist with the training aspect of the study, as well as design and conduct structured focus group sessions among judicial officer to provide qualitative assessments of the time study results (Delphi process).
  4. OCR seeks the services of a Research Consultant (“Contractor”) with knowledge of California trial court operations, court organization assessment, workload analysis, and expertise in day-to-day courtroom operations, specifically with an emphasis on judicial workload, duties, and responsibilities. The person should have expertise presenting to judicial officers. The Proposer/Contractor will be asked to assist in developing a training tool, presenting trainings to judicial officers and relevant staff, and act as a resource for training-related inquiries. Additionally, the contractor will conduct structured focus groups to provide an opportunity for judicial officers to review and give feedback on data collected during the time study.
  5. This Request for Proposals (“RFP”) is the means for prospective proposers to submit their qualifications and request selection as the Contractor for the Work of this RFP, as defined in Attachment 2, Exhibit D, Work to be Performed. The expertise required is (i) research design in a court-based environment, (ii) previous experience designing and analyzing workload studies, with a focus on judicial and court operations; (iii) experience in developing and delivering trainings to judicial officers; (iv) experience with analysis of case-level data; and (v) demonstrated experience coordinating, developing, and running focus groups in a trial-court environment, with a specific focus on judicial officers.

1.6 It is the intention of the Judicial Council to award a single contract for the Project estimated to be May 1, 2018 through June 30, 2019. The compensation for Work under this Project will range between $40,000 and $50,000, including transportation expenses.

**2.0 DESCRIPTION OF SERVICES AND DELIVERABLES**

2.1 The JCC seeks the services of a person or entity with expertise in California trial

court operations, court organization assessment, workload analysis, and expertise in day-to-day courtroom operations, specifically with an emphasis on judicial workload.

1. By June 1, 2018 the Contractor will develop draft training materials and a training presentation for the judicial workload study. This will involve meetings with OCR staff working on the larger study, research by the contractor on previous workload

studies conducted in the California Judicial Branch, identifying training format

(e.g., in-person or web-based). Contractor will submit draft training materials and plan to project manager. $5,000

1. By July 1, 2018 the Contractor will provide final training plan including materials and presentation for the judicial workload study. This will involve meetings with OCR staff, research conducted by the contractor on previous workload studies conducted in the California Judicial Branch, identifying training format (i.e., in-person or web-based). Contractor will work in consultation with OCR staff on training logistics, including outreach, scheduling, and other relevant tasks; Contractor will submit final training materials and plan to project manager. $5,000
2. By September 1, 2018, the Contractor will conduct, with assistance of OCR staff, up to 6 site visits to deliver trainings and deliver up to 5 additional trainings via remote means (WebEx, phone). $15,000
3. By March 1, 2019, The Contractor will be responsible for designing a plan for the structured focus groups to be conducted with Judicial Officers after completion of data collection (Time Study). Contractor will develop focus group content, communicate before focus groups as necessary with focus group attendees, run the focus groups. Contractor will submit project plan on focus groups to project manager. $5,000
4. By May 1, 2019, the Contractor will conduct, with OCR staff, up to 6 site visits to conduct focus groups as well as possible use of remote means (WebEx, phone) if necessary. $15,000
5. By June 1, 2019, The Contractor will provide a final written report summarizing the focus group sessions and findings after the conclusion of the focus groups. $5,000
   1. Work with OCR staff will be handled mainly by remote access, with phone and intermittent in-person meetings at the Judicial Council San Francisco Office. Work will include travel to courts throughout the state.

2.3 Previous experience conducting or acting as a consultant on judicial workload studies, and knowledge of operations within the California Court System and Judicial branch will be beneficial to successfully completing the Scope of Work set forth in Attachment 2, Exhibit D, Work to be Performed.

**3.0 TIMELINE FOR THIS RFP**

The JCC has developed the following list of key events related to this RFP. All dates are subject to change at the discretion of the JCC.

| **EVENT** | **DATE** |
| --- | --- |
| RFP issued**:** | March 29, 2018 |
| Deadline for questions to  [solicitations@jud.ca.gov](mailto:Solicitations@jud.ca.gov) | April 9, 2018 |
| Questions and answers posted *(estimate only)* | April 12, 2018 |
| Latest date and time proposal may be submitted | April 19, 2018  3:00 p.m. Pacific Time |
| Evaluation of proposals (*estimate only*) | April 23, 2018 |
| Notice of Intent to Award (*estimate only*) | April 25, 2018 |
| Negotiations and execution of contract (*estimate only*) | April 27, 2018 |
| Contract start date (*estimate only*) | May 1, 2018 |
| Contract end date (*estimate only*) | June 30, 2019 |

**4.0 RFP ATTACHMENTS**

The following attachments are included as part of this RFP:

| **ATTACHMENT** | **DESCRIPTION** |
| --- | --- |
| Attachment 1: Administrative Rules Governing RFPs (Non-IT Services): | These rules govern this solicitation. |
| Attachment 2: JCC Standard Terms and Conditions | If selected, the person or entity submitting a proposal (the “Proposer”) must sign this JCC Standard Form agreement. |
| Attachment 3: Proposer’s Acceptance of Terms and Conditions | On this form, the Proposer must indicate acceptance of the Terms and Conditions or identify exceptions to the Terms and Conditions. |
| Attachment 4: General Certifications Form | The Proposer must complete the General Certifications Form and submit the completed form with its proposal. |
| Attachment 5: Darfur Contracting Act Certification | The Proposer must complete the Darfur Contracting Act Certification and submit the completed certification with its proposal. |
| Attachment 6: Payee Data Record Form | This form contains information the JCC requires in order to process payments and must be submitted with the proposal. |
| Attachment 7:  DVBE Declaration | Complete this form only if the Proposer wishes to claim the DVBE inventive associated with this solicitation. |
| Attachment 8:  Bidders Declaration | Complete this form only if the Proposer wishes to claim the DVBE incentive associated with this solicitation. |

**5.0 PAYMENT INFORMATION**

* Subject to the terms in *Attachment 2, Appendix B, Payment Provisions*, the selected provider will be paid on a firm-fixed price per Deliverable basis.

**6.0 SUBMISSIONS OF PROPOSALS**

6.1 Proposals should provide straightforward, concise information that satisfies the requirements of the “Proposal Contents” section below. Expensive bindings, color displays, and the like are not necessary or desired. Emphasis should be placed on conformity to the RFP’s instructions and requirements, and completeness and clarity of content.

6.2 The Proposer must submit its proposal in two parts, the technical proposal and the cost proposal.

a. The Proposer must submit **one (1) original and two (2) copies** of the technical proposal. The original must be signed by an authorized representative of the Proposer. The original technical proposal (and the copies thereof) must be submitted to the JCC in a single sealed envelope, separate from the cost proposal. The Proposer must write the RFP title and number on the outside of the sealed envelope.

b. The Proposer must submit **one (1) original and two (2) copies** of the cost proposal. The original must be signed by an authorized representative of the Proposer. The original cost proposal (and the copies thereof) must be submitted to the JCC in a single sealed envelope, separate from the technical proposal. The Proposer must write the RFP title and number on the outside of the sealed envelope.

c. The Proposer must submit an electronic version of the entire proposal on CD-ROM or USB memory stick/flash drive. The files must be in PDF, Word, or Excel formats.

6.3 Proposals must be delivered by the date and time listed on the coversheet of this RFP to:

Judicial Council of California

Attn: Lenore Fraga-Roberts, Solicitations, RFP #OCR-2018-02-LV

455 Golden Gate Avenue, Sixth Floor

San Francisco, CA 94102-3688

6.4 Late proposals will not be accepted.

6.5 Only written proposals will be accepted. Proposals must be sent by registered or certified mail, courier service (e.g. FedEx), or delivered by hand. Proposals may not be transmitted by fax or email.

**7.0 PROPOSAL CONTENTS**

7.1 Technical Proposal. The following information must be included in the technical proposal. A proposal lacking any of the following information may be deemed non-responsive.

a. The Proposer’s name, address, telephone and fax numbers, and federal tax identification number. Note that if the Proposer is a sole proprietor using his or her social security number, the social security number will be required before finalizing a contract.

b. Name, title, address, telephone number, and email address of the individual who will act as the Proposer’s designated representative for purposes of this RFP.

c. Resume describing the individual’s background and experience, as well as the individual’s ability and experience in conducting the proposed activities.

d. Proposed method to complete the work.

i. Propose project plan and organization for training. Include: (i) a plan for reviewing previous California Judicial Branch judicial workload studies, existing and draft training tools and methods and tools, and method for testing and adjustment of training tools and techniques prior to formal training sessions.

ii. Propose focus group process. Include plan for gathering initial input from Judicial Council OCR staff; plan for communicating with potential focus group attendees; plan for designing focus group sessions; and implementing focus groups onsite.

iii. Propose method for presenting progress reports, findings and recommendations on training tools and methods and focus group coordination and outcomes.

iv. Experience on similar assignments, with an emphasis on working with teams of judicial officers from courts of varying sizes and operational cultures.

1. Proposal includes examples of other research projects, training consultation and delivery, and focus groups that draw on current trends and methods and may tie back to previously collected data

e. Acceptance of the Terms and Conditions.

i. On Attachment 3, the Proposer must check the appropriate box and sign the form. If the Proposer marks the second box, it must provide the required additional materials. An “exception” includes any addition, deletion, or other modification.

ii. If exceptions are identified, the Proposer must also submit (i) a red-lined version of the Terms and Conditions that implements all proposed changes, and (ii) a written explanation or rationale for each exception and/or proposed change.

f. Certifications, Attachments, and other requirements.

i. The Proposer must complete the General Certifications Form (Attachment

4) and submit the completed form with its proposal.

ii. The Proposer must complete the Darfur Contracting Act Certification (Attachment 5) and submit the completed certification with its proposal.

iii. If Contractor is a California corporation, limited liability company (“LLC”), limited partnership (“LP”), or limited liability partnership (“LLP”), proof that Contractor is in good standing in California. If Contractor is a foreign corporation, LLC, LP, or LLP, and Contractor conducts or will conduct (if awarded the contract) intrastate business in California, proof that Contractor is qualified to do business and in good standing in California. If Contractor is a foreign corporation, LLC, LP, or LLP, and Contractor does not (and will not if awarded the contract) conduct intrastate business in California, proof that Contractor is in good standing in its home jurisdiction.

iv. Copies of the Proposer’s (and any subcontractors’) current business licenses, professional certifications, or other credentials.

7.2 Cost Proposal. The following information must be included in the cost proposal.

i. A detailed line item budget showing total cost of the proposed services.

ii. A full explanation of all budget line items in a narrative entitled “Budget Justification.”

iii. A “not to exceed” total for all work and expenses payable under the contract, if awarded.

8**.0 OFFER PERIOD**

A Proposer's proposal is an irrevocable offer for ninety (90) days following the proposal due date. In the event a final contract has not been awarded within this period, the JCC reserves the right to negotiate extensions to this period.

9**.0 EVALUATION OF PROPOSALS**

At the time proposals are opened, each proposal will be checked for the presence or absence of the required proposal contents.

The JCC will evaluate the proposals on a 100-point scale using the criteria set forth in the table below. Award, if made, will be to the highest scored proposal. Although some categories are weighted more than others, all are considered necessary, and a proposal must be technically acceptable in each area to be eligible for award.

If a contract will be awarded, the JCC will post an intent to award notice at: <http://www.courts.ca.gov/rfps.htm>.

| **CRITERION** | **maximum number of points** |
| --- | --- |
| **Quality of work plan submitted** | **12** |
| **Experience on similar assignments** | **25** |
| **Cost** | **30** |
| **Credentials of staff to be assigned to the project** | **15** |
| **Acceptance of the Terms and Conditions** | **5** |
| **Ability to meet timing requirements to complete the project** | **10** |
| **(“DVBE”) Incentive Disabled Veterans Business Enterprise incentive is available to qualified proposers.** | **3** |

**10.0 INTERVIEWS**

The JCC may conduct interviews with Proposers to clarify aspects set forth in their proposals or to assist in finalizing the ranking of top-ranked proposals. The interviews may be conducted in person or by phone. If conducted in person, interviews will likely be held at the JCC’s offices. The JCC will not reimburse Proposers for any costs incurred in traveling to or from the interview location. The JCC will notify eligible Proposers regarding interview arrangements.

**11.0 CONFIDENTIAL OR PROPRIETARY INFORMATION**

**Proposals are subject to disclosure pursuant to applicable provisions of the California Public Contract Code and rule 10.500 of the California Rules of Court.** The JCC will not disclose (i) social security numbers, or (ii) balance sheets or income statements submitted by a Proposer that is not a publicly-traded corporation. All other information in proposals will be disclosed in response to applicable public records requests. Such disclosure will be made regardless of whether the proposal (or portions thereof) is marked “confidential,” “proprietary,” or otherwise, and regardless of any statement in the proposal (a) purporting to limit the JCC’s right to disclose information in the proposal, or (b) requiring the JCC to inform or obtain the consent of the Proposer prior to the disclosure of the proposal (or portions thereof). Any proposal that is password protected, or contains portions that are password protected, may be rejected. Proposers are accordingly cautioned not to include confidential, proprietary, or privileged information in proposals.

**12.0 DISABLED VETERAN BUSINESS ENTERPRISE INCENTIVE**

**DISABLED VETERAN BUSINESS ENTERPRISE PARTICIPATION GOALS**

12.1 Qualification for the DVBE incentive is not mandatory. Failure to qualify for the DVBE incentive will not render a proposal non-responsive.

12.2 Eligibility for and application of the DVBE incentive is governed by the Judicial Council’s DVBE Rules and Procedures. Proposer will receive a DVBE incentive if, in the Judicial Council’s sole determination, Proposer has met all applicable requirements. If Proposer receives the DVBE incentive, a number of points will be added to the score assigned to Proposer’s proposal. The number of points that will be added is specified in Section 11 above.

12.3 To receive the DVBE incentive, at least 3% of the contract goods and/or services must be provided by a DVBE performing a commercially useful function. Or, for solicitations of non-IT goods and IT goods and services, Proposer may have an approved Business Utilization Plan (“BUP”) on file with the California Department of General Services (“DGS”).

12.4 If Proposer wishes to seek the DVBE incentive:

Proposer must submit with its proposal a DVBE Declaration (Attachment 7) completed and signed by each DVBE that will provide goods and/or services in connection with the contract. If Proposer is itself a DVBE, it must complete and sign the DVBE Declaration. If Proposer will use DVBE subcontractors, each DVBE subcontractor must complete and sign a DVBE Declaration. NOTE: The DVBE Declaration is not required if Proposer will qualify for the DVBE incentive using a BUP on file with DGS.

12.5 Proposer must complete and submit with its proposal the Bidder Declaration (Attachment 9). Proposer must submit with the Bidder Declaration all materials required in the Bidder Declaration.

12.6 Failure to complete and submit these forms as required will result in Proposer not receiving the DVBE incentive. In addition, the Judicial Council may request additional written clarifying information. Failure to provide this information as requested will result in Proposer not receiving the DVBE incentive.

12.7 If this solicitation is for IT goods and services, the application of the DVBE incentive may be affected by application of the small business preference. For additional information, see the Judicial Council’s Small Business Preference Procedures for the Procurement of Information Technology Goods and Services.

12.8 If Proposer receives the DVBE incentive: (i) Proposer will be required to complete a post-contract DVBE certification if DVBE subcontractors are used; (ii) Proposer must use any DVBE subcontractor(s) identified in its proposal unless the Judicial Council approves in writing the substitution of another DVBE; and (iii) failure to meet the DVBE commitment set forth in its proposal will constitute a breach of contract.

**FRAUDULENT MISREPREPRETATION IN CONNECTION WITH THE DVBE INCENTIVE IS A MISDEMEANOR AND IS PUNISHABLE BY IMPRISONMENT OR FINE, AND VIOLATORS ARE LIABLE FOR CIVIL PENALTIES. SEE MVC 999.9.**

**13.0 PROTESTs**

Any protests will be handled in accordance with Chapter 7 of the Judicial Branch Contracting Manual (see *www.courts.ca.gov/documents/jbcl-manual.pdf*). Failure of a Proposer to comply with the protest procedures set forth in that chapter will render a protest inadequate and non-responsive, and will result in rejection of the protest. The deadline for the JCC to receive a solicitation specifications protest is the proposal due date. Protests should be sent to:

Judicial Council of California

Business Services

ATTN: Protest Hearing Officer

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455 Golden Gate Avenue

San Francisco, CA 94102-3688