



# Judicial Council of California

ADMINISTRATIVE OFFICE OF THE COURTS

FINANCE DIVISION

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**TO:** POTENTIAL BIDDERS

**FROM:** Administrative Office of the Courts  
Finance Division

**DATE:** **October 30, 2008**

**SUBJECT/PURPOSE OF MEMO:** REQUEST FOR PROPOSALS  
ADMINISTRATIVE OFFICE OF THE COURTS JOB ANALYSIS,  
CLASSIFICATION AND COMPENSATION STUDY

**ACTION REQUIRED:** You are invited to review and respond to the attached Request for Proposals (“RFP”):

Project Title: Administrative Office of the Courts Job Analysis,  
Classification and Compensation Study

RFP Number: HR-0908-RB

**PROPOSAL DUE DATE:** Proposals must be received by **1 p.m. on Wednesday, November 24, 2008**

**SUBMISSION OF PROPOSAL:** Proposals must be sent to:  
**Judicial Council of California**  
**Administrative Office of the Courts**  
**Attn: Nadine McFadden, HR-0908-RB**  
**455 Golden Gate Avenue**  
**San Francisco, CA 94102**

**FOR FURTHER INFORMATION:** **E-MAIL:**  
*Solicitations@jud.ca.gov*

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## **1.0 GENERAL INFORMATION**

### **1.1 Background**

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 Administrative Office of the Courts (AOC) is the staff agency for the Council and assists both the Council and its chair in performing their duties. The AOC currently has approximately 890 employees/incumbents in 201 job classifications, distributed over ten divisions and three regional offices.

### **1.2 AOC Court Job Analysis, Classification and Compensation Study**

The Human Resources Division of the Administrative Office of the Courts provides direct classification and compensation support for the employees of the AOC, as well as for employees of the California Supreme Court and Courts of Appeal. This project is intended to be a comprehensive review of only AOC positions, classifications, and compensation.

## **2.0 PURPOSE OF THIS RFP**

The AOC seeks the services of a consultant with experience and expertise in the public sector to conduct a comprehensive analysis of selected positions for proper Fair Labor Standards Act (“FLSA”) designation and to review the current classification structure and compensation plan for the entire AOC.

The desired outcomes are as follows:

- (1) The consultant will collect the appropriate information required to make legally defensible FLSA determinations for each of the selected positions, and to make classification and compensation recommendations for all positions (approximately 890) in the AOC.
- (2) The consultant will recommend the appropriate FLSA designation for up to approximately 360 positions in 63 job classifications and provide written documentation in support of each of the recommendations.
- (3) The consultant will review the current classification and compensation structure in the entire AOC for appropriate alignment with business needs and recommend

classification strategies. This may include the drafting of specifications for new classifications.

- (4) Once the job analyses and classification recommendations are completed, the consultant will conduct a comprehensive review of the compensation structure to align the classification structure to best practices and identifiable benchmarked positions.

### 3.0 RFP SCHEDULE AND GENERAL INSTRUCTIONS

- 3.1 The AOC has developed the following list of key events from Request-for-Proposal (RFP) issuance through contract start date. All deadlines are subject to change at the AOC's discretion.

<b>Event</b>	<b>Date</b>
Issue RFP	October 30, 2008
Deadline for Proposers to Request Clarifications or Modifications	November 12, 2008
AOC Posts Clarification/Modification Responses (estimated)	November 17, 2008
Proposal Due Date and Time	November 24, 2008 1:00 PM
Interviews of Finalist Service Providers at the AOC in San Francisco (estimated)	December 16, 17 or 18, 2008
Notice of Intent to Award Issued (estimated)	January 5, 2009
Contract Start Date (estimated)	January 12, 2009

- 3.2 The RFP and any addenda that may be issued, including responses to Vendor clarification and modification requests, will be available on the following website:

<http://www.courtinfo.ca.gov/reference/rfp> (Courtinfo web site)

3.3 Proposal Submittal Address:

Nadine McFadden  
RFP# HR-0908-RB  
Judicial Council of California  
Administrative Office of the Courts  
455 Golden Gate Avenue, 7th Floor  
San Francisco, CA 94102-3688

3.4 Request for Clarifications or Modifications

- 3.4.1 Vendors interested in responding to the solicitation may submit questions by e-mail only on procedural matters related to the RFP or requests for clarification or modification of this solicitation document, including questions regarding the Terms and Conditions in Attachment B, to the Solicitations mailbox referenced below. If the vendor is requesting a change, the request must state the recommended change and the vendor's reasons for proposing the change.

**Solicitations mailbox:**      [solicitations@jud.ca.gov](mailto:solicitations@jud.ca.gov)

- 3.4.2 All questions and requests must be submitted by e-mail to the Solicitations mailbox and received no later than the date and time specified in Section 3.1 above. Questions or requests submitted after the due date will not be answered.
- 3.4.3 All e-mail submissions sent to the Solicitations mailbox MUST contain the RFP number and other appropriate identifying information in the e-mail subject line. In the body of the e-mail message, always include paragraph numbers whenever references are made to content of this RFP. Failure to include the RFP number as well as other sufficient identifying information in the e-mail subject line may result in the AOC's taking no action on a vendor's e-mail submission.
- 3.4.4 Without disclosing the source of the question or request, the AOC Contracting Officer will post a copy of both the questions and the AOC's responses on the Courtinfo Web site.
- 3.4.5 If a vendor's question relates to a proprietary aspect of its proposal and the question would expose proprietary information if disclosed to competitors, the vendor may submit the question in writing, conspicuously marking it as "CONFIDENTIAL." With the question, the vendor must submit a statement explaining why the question is sensitive. If the AOC concurs that the disclosure of the question or answer would

expose proprietary information, the question will be answered, and both the question and answer will be kept in confidence. If the AOC does not concur regarding the proprietary nature of the question, the question will not be answered in this manner and the vendor will be so notified.

#### **4.0 RFP ATTACHMENTS**

- 4.1 The following documents are incorporated into this Request For Proposals (RFP) by reference:

Attachment A -	Administrative Rules Governing Request For Proposals
Attachment B -	Terms and Conditions
Attachment C -	Contract Exceptions
Attachment D -	Payee Data Record

- 4.2 Attachment A, Administrative Rules Governing Request for Proposals. Proposers shall follow the rules, set forth in Attachment A, in preparation of their proposals.

- 4.3 Attachment B, Terms and Conditions. Contracts with successful firms will be signed by the parties on a State of California Standard Agreement form and will include terms appropriate for this project. Terms and conditions typical for the requested services are attached as Attachment B and include the following provisions:

Exhibit A, Standard Provisions.  
Exhibit B, Special Provisions.  
Exhibit C, Payment Provisions.  
Exhibit D, Work To Be Performed.  
Exhibit E, Contractor's Key Staff. (To Be Determined)

- 4.4 Attachment C, Contract Exceptions. Proposers must either indicate acceptance of the Agreement Terms, as set forth in Attachment B, or clearly identify exceptions with a written summary of relevance and rationale to substantiate each proposed change.

- 4.5 Attachment D, Payee Data Record Form. The AOC is required to obtain and keep on file, a completed Payee Data Record for each vendor prior to entering into a contract with that vendor. Therefore, proposer's proposal must include a completed and signed Payee Data Record Form, set forth as Attachment D.

#### **5.0 SCOPE OF SERVICES**

- 5.1 Services are expected to be performed by the consultant between January 12, 2009 and January 11, 2010 .

- 5.2 The consultant will perform the following tasks and deliver the following deliverables:
- 5.2.1 Facilitate a strategic issues meeting with the AOC management and Classification/Compensation teams. Issues discussed will include but not be limited to: data collection methods, project timeline, and projected deadlines for preliminary report of findings and recommendations.
  - 5.2.2 Facilitate meetings with the Division Directors and Regional Administrative Directors as needed to identify areas of concern in each division or region and to develop a plan for the comprehensive review.
  - 5.2.3 Provide regular status updates to designated AOC contacts.
  - 5.2.4 Perform job analysis on selected positions and survey the applicable employees and their managers/supervisors to determine if their FLSA designations and classifications are correct. The consultant is expected to provide written documentation to support a legally compliant designation.
  - 5.2.5 If FLSA designations are incorrect, the consultant is expected to document and recommend correct FLSA designations, update existing classifications or recommend and draft specifications for new classifications.
  - 5.2.6 The consultant is expected to be available for in-person or telephone interviews as necessary to identify and analyze the job duties of various positions or classifications.
  - 5.2.7 Review the classification structure and allocate positions to the proper classification within the structure. The AOC will confirm the classification concepts and allocations.
  - 5.2.8 Conduct a comprehensive compensation review of all AOC classifications, using current published surveys and other data collection methods to be described by the consultant.
  - 5.2.9 Provide a draft report of the job analysis, classification, and compensation recommendations that will be reviewed by AOC, allowing for interim feedback, comments and questions. All reports will be issued in draft format to the AOC for review before a final report is issued. This may require face to face meetings.

- 5.2.10 Provide a final report with recommendations for FLSA designations, classification and compensation changes.
- 5.2.11 Facilitate a follow up strategic issues meeting with the AOC management and Classification/Compensation following the delivery of final reports.

## **6.0 SPECIFICS OF A RESPONSIVE PROPOSAL**

- 6.1 Proposal Content and Format – The proposal must be organized by section and contain the following information:

Section 1: Title page, containing the proposer's name, address, telephone, fax number, e-mail address, and social security or tax identification number.

Section 2: Description of services to be provided including:

- (1) A description of key staff's knowledge of the requirements necessary to complete this project.
- (2) A description of the overall plan with time estimates for completion of all work required.

Section 3: A description of the proposed methods to complete the Project, including:

- (1) The process necessary to address the project objectives outlined in the Scope of Work section 5.0 (above);
- (2) Data collection methods to ensure participants have the opportunity to give full input on the issues that concern them;
- (3) Proposed methodology for collecting data regarding individual positions and classifications in order to determine the appropriate FLSA designation for each;
- (4) Salary survey sources available to the consultant.
- (5) Proposed methodology for collecting and evaluating compensation data, including for those classifications not easily matched in market surveys;



- (6) Proposed project and team organization with names and functional roles to ensure depth of coverage for the variety of classifications being reviewed; and
- (7) Proposed process for keeping AOC contact informed of progress in the study.

Section 4: References including the names, addresses, and telephone numbers of a minimum of five (5) clients for whom the consultant has conducted similar services. The AOC may check references listed by the consultant.

Section 5: Resumes describing the background and relevant experience of key staff who would be involved in conducting the study.

Section 6: Cost proposal and budget containing a detailed line item budget showing total cost of the services and total firm fixed costs for each of the following deliverables (please note: the method of payment to the consultant will be in arrears upon completion of each deliverable.):

- (1) Deliverable 1: Facilitate a meeting with the AOC management and Classification/Compensation teams to discuss data collection methods, project timeline, and deadlines. Facilitate meetings with the Division Directors and Regional Administrative Directors as needed to identify areas of concern. Develop a project plan/timeline.
- (2) Deliverable 2: FLSA Review: Collect the appropriate information required to determine a legally defensible FLSA determination for each of the selected positions. Perform job analysis on those positions and survey the applicable employees and their managers/supervisors to determine if their FLSA designations and classifications are correct. The consultant is expected to be available for in-person or telephone interviews as necessary. The consultant is expected to provide written documentation to support a legally compliant designation for each position. If current FLSA designations are incorrect, the consultant is expected to document and recommend correct FLSA designations, update existing classifications or recommend and draft specifications for new classifications. Provide draft summary of FLSA findings. Facilitate meeting with Executive Team/Division Leadership to discuss findings.

- (3) Deliverable 3: Classification Review: Facilitate a meeting with the AOC management and Classification/Compensation teams to discuss next steps for the classification review. Collect additional information as needed and complete a full classification structure review for the agency. Make recommendations on creation of new classifications (including drafting of new specifications) or collapsing of unnecessary classes. Provide draft summary of classification findings. Facilitate meeting with Executive Team/Division Leadership to discuss findings.
- (4) Deliverable 4: Compensation Review: Facilitate a meeting with the AOC management and Classification/Compensation teams to discuss next steps for the compensation review. Conduct a comprehensive compensation review of all AOC classifications using current published surveys and other data collection methods to be described by the consultant. Provide draft summary of findings. Facilitate meeting with Executive Team/Division Leadership to discuss findings.
- (5) Deliverable 5: Provide a draft final report of all findings. Respond to questions/concerns. Review findings with project team. Make additional edits as necessary. Facilitate meeting with Executive Team/Division Leadership to discuss findings. Integrate Executive Team comments/feedback and provide a final report with recommendations for FLSA designations, and classification and compensation changes.

Section 7: The functional titles, roles and responsibilities, and hourly rates for each functional title during the Initial Term, 1st Option Term and 2nd Option Term. Hourly rates may be used to develop costs for additional work or revise scope.

Section 8: A completed and signed Attachment C, Contract Exceptions Form

Section 9: A completed and signed Attachment D, Payee Data Record

## **7.0 EVALUATION OF PROPOSALS**

- 7.1 The selection process will be a two-stage process where the second stage may include one or more interviews:

- Stage 1: Written proposals are evaluated, scored, and ranked. The top ranked firms will advance to Stage 2. Proposals will be evaluated using the criteria listed below, shown with the maximum point value for each category. The maximum total available score for all categories will be 100 points.
- A. Experience - Proposer's experience with projects of similar type, size and scope, and, in particular, with projects of similar type, size and scope in the public sector. (25 points)
  - B. Project Staffing - Credentials of staff to be assigned to the project, particularly as they relate to public sector experience in job analysis, classification and compensation. (25 points)
  - C. Communications – Ability to organize and present concepts as well as detailed results in a manner appropriate for the intended audience, whether the communication is written and/or orally presented, toward technical persons or high level executive management. (20 Points)
  - D. Work Plan - Quality of work plan submitted as it relates to meeting the objectives outlined in the Scope of Work section 5.0 above; flexibility of work plan to allow for adjustments to scope and timing as issues arise during the study. (15 points)
  - E. Costs - Reasonableness of proposed costs, including cost of deliverables and hourly rates. (15 points)

Stage 2: Scores from the written proposal Stage 1 will be used to advance the top ranked proposers to Stage 2. The AOC will notify those proposers that have advanced to Stage 2, and arrange for the AOC to interview them for clarifications of their written proposal and to address additional questions and topics to be determined at a later date.

In Addition, the AOC evaluation team will also interview proposer's key staff as part of the Stage 2 interviews. The staff interviews will be conducted on the same day as the Stage 2 interview. The vendor must make proposed staff available via conference call or in person for interviews as scheduled.

The AOC expects that: 1) Presentations will be made by the project manager, who will be point of contact for the duration of the project and any other project team members as identified by vendor for the

project; 2) The same individuals who will be presenting will be the same individuals to present findings to AOC Executive Team for the duration of the project; and 3) The evaluation team will then score and rank those participating firms of Stage 2

## **8.0 SUBMISSION OF PROPOSALS**

- 8.1 The proposer must prepare a cover letter on the proposer's business letterhead to accompany the proposal. The purpose of this letter is to transmit the proposal; therefore, it should be brief. The letter must be signed by an individual who is authorized to bind his or her firm to all statements, including services and prices, contained in the proposal.
- 8.2 Responsive proposals should provide straight-forward, concise information that satisfies the requirements noted in section 6.0, Specifics of a Responsive Proposal. Expensive bindings, color displays, and the like are not necessary or desired. Emphasis should be placed on conformity to the state's instructions, requirements of this RFP, and completeness and clarity of content.
- 8.3 Proposals must be delivered by the Proposal Due Date to the individual listed in the Submission of Proposals section of the coversheet to this RFP and must include the following:
  - 8.3.1 One (1) original hard copy of the entire proposal.
  - 8.3.2 Six (6) duplicate hard copies of the entire proposal.
  - 8.3.3 One (1) electronic copy of the entire proposal in MS Word compatible format on a CD-ROM.
- 8.4 Only written proposals, accompanied by the CD-ROM submittal, will be accepted.

## **9.0 RIGHTS**

- 9.1 The AOC reserves the right to reject any and all proposals, in whole or in part, as well as the right to issue similar RFPs in the future. This RFP is in no way an agreement, obligation, or contract and in no way is the AOC or the State of California responsible for the cost of preparing the proposal. One copy of a submitted proposal will be retained for official files and becomes a public record.
- 9.2 The AOC reserves the right to commence negotiations with multiple vendors in the interest of reaching agreement in a timely fashion with greatest benefit to the AOC.

## **10.0 ADDITIONAL REQUIREMENTS**

- 10.1 It may be necessary to have a conference to clarify the requirements of this RFP. If so, the time, date, and location will be determined at a later date.
- 10.2 It may be necessary to interview prospective service providers to clarify aspects of their submittal. If conducted, interviews will likely be conducted by telephone conference call, but may also be conducted in person. The AOC will notify prospective service providers regarding the interview arrangements, if any.

## **11.0 PROPOSED CONTRACT TERMS AND ADMINISTRATIVE RULES**

Contracts with successful firms will be signed by the parties on a State of California Standard Agreement form and will include terms appropriate for this project. Terms and conditions typical for the requested services are attached as Attachment B.

## **12.0 CONFIDENTIAL OR PROPRIETARY INFORMATION**

The Administrative Office of the Courts policy is to follow the intent of the California Public Records Act (PRA). If a vendor's proposal contains material noted or marked as confidential and/or proprietary that, in the AOC's sole opinion, meets the disclosure exemption requirements of the PRA, then that information will not be disclosed pursuant to a request for public documents. If the AOC does not consider such material to be exempt from disclosure under the PRA, the material will be made available to the public, regardless of the notation or markings. If a vendor is unsure if its confidential and/or proprietary material meets the disclosure exemption requirements of the PRA, then it should not include such information in its proposal.