



REQUEST FOR PROPOSALS

**ADMINISTRATIVE OFFICE OF THE COURTS
(AOC)**

**REGARDING:
ELDER ABUSE BENCHBOOK AND
EDUCATIONAL COURSE**

RFP: CFCC-04-13-LM

**PROPOSALS DUE:
APRIL 29, 2013 NO LATER THAN 1:00 P.M. PACIFIC TIME**

INTRODUCTION

The purpose of this Request for Proposals (**RFP**) is to solicit and award a one-year contract to a qualified Contractor, who is a member of the California State Bar, with expertise in elder abuse issues and California law, to draft two chapters for an Elder Abuse Benchbook entitled, *Allegations of Elder Abuse in Criminal Cases* and *Restraining Orders Issued in Elder Abuse Cases*. An additional requirement is to serve as co-faculty for a 2-1/2 day course on handling elder abuse cases. All work is in support of the California judiciary.

Additional information about the documents pertaining to this solicitation, including electronic copies of the solicitation documents, can be found on the California Courts Website, at www.courts.ca.gov/rfps.htm (**Court's Website**).

1.0 BACKGROUND INFORMATION

1.1 Judicial Council of California – AOC. 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 AOC is the staff agency for the council and assists both the council and its chair in performing their duties.

1.2 The Center for Families, Children & the Courts.

The Center for Families, Children & the Courts (**CFCC**) is an office housed in the AOC's Judicial and Court Operations Division and is dedicated to improving the quality of justice and services to meet the diverse needs of children, youth, parents, families, and other users of the California Courts. To accomplish this mission, CFCC is supported by various programs including the Violence Against Women Education Project (**VAWEP**). VAWEP is an initiative to enhance the court's response to domestic violence, sexual assault, stalking, teen dating violence, human trafficking and elder abuse cases. VAWEP is funded by the California Emergency Management Agency (**Cal EMA**) with resources from the federal Office on Violence Against Women (**OVW**).

2.0 DESCRIPTION OF TASKS AND DELIVERABLES

2.1 The AOC seeks the services of a Contractor with expertise in elder abuse issues and California law including court practices, and delivery of educational instruction. The project focuses on writing two chapters for a new Elder Abuse Benchguide using a CFCC provided outline. A copy of the *proposed Table of Contents* for the new benchbook is attached to the RFP as Attachment 7 to

provide context for what the benchbook will include. The Benchbook will be made available to the entire California judiciary. Additionally, the Contractor is also responsible for serving as faculty for a 2-1/2 day educational program on handling elder abuse cases. The curriculum for the educational program will be provided by the AOC.

2.2 Scope of Services

2.2.1 Develop two chapters for an Elder Abuse Benchguide using a CFCC provided outline. The first chapter is titled *Allegations of Elder Abuse in Criminal Cases* and the second is titled *Restraining Orders Issued in Elder Abuse Cases*.

2.2.2 *Allegations of Elder Abuse in Criminal Cases* – This chapter will include, but not be limited to, information on elder abuse – specific crimes, procedures to freeze and seize assets, discovery of Adult Protective Services records, pretrial procedures and proceedings, trial issues and sentencing.

2.2.3 *Restraining Orders Issued in Elder Abuse Cases* – This chapter will include an introduction and overview of elder abuse restraining orders, the features of orders and a comparison to other statutory schemes, limitations of elder abuse orders, termination and modification of orders, and full faith and credit.

2.2.4 Each chapter will set forth definitions, provide legal citations, California codes and rules, and be written in a similar style to other AOC benchbooks.

2.2.5 The copyright for both chapters is held by the Judicial Council of California, Administrative Office of the Courts subject to the license held by Cal EMA described below.

2.2.6 The final product will include the following language “The preparation of this benchbook was financially assisted through Grant No. CW12111535 from Cal EMA. The opinions, findings, and conclusions in these materials are those of the author and do not necessarily represent those of Cal EMA. Cal EMA reserves a royalty-free, nonexclusive, and irrevocable license to reproduce, publish, and use these materials and authorize others to do so.”

2.2.7 *Elder Abuse Training* – Using a CFCC provided curriculum, shall serve as co-faculty for a 2-1/2 day elder abuse course scheduled June 12-14, 2013.

2.3 The Deliverables

2.3.1 Deliver draft of both chapters, June 15, 2013. First draft of two chapters entitled *Allegations of Elder Abuse in Criminal Cases* and *Restraining Orders Issued in Elder Abuse Cases* is submitted to AOC Project Manager by **June 15, 2013**.

2.3.2 Teach course on elder abuse, June 12-14, 2013. Serve as co-faculty and deliver a 2-1/2 day educational program on *Handling Elder Abuse Cases* on

June 12-14, 2013, at the AOC San Francisco office. Submit summary report and any recommendations to AOC Project Manager.

2.3.3 Deliver final version of both chapters, September 15, 2013. Deliver final versions of the two chapters for the benchbook to the AOC Project Manager by **September 15, 2013**.

2.4 The monetary range of the proposed firm fixed price per Deliverables contract to be awarded from this RFP is not to exceed **\$14,500**.

3.0 TIMELINE FOR THIS RFP

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

EVENT	DATE
RFP issued	April 15, 2013
Deadline for questions to Solicitations@jud.ca.gov	April 22, 2013, no later than 1:00 PM (PST)
Questions and answers posted (<i>estimate only</i>)	April 24, 2013
Latest date and time proposal may be submitted	April 29, 2013, no later than 1:00 PM PST
Evaluation of proposals. This period may include interviews. (<i>estimate only</i>)	April 29 through May 3, 2013
Notice of Intent to Award (<i>estimate only</i>)	May 6, 2013
Negotiations and execution of contract (<i>estimate only</i>)	May 6 through May 10, 2013
Notice of Award (<i>estimate only</i>)	May 10, 2013
Contract start date (<i>estimate only</i>)	May 13, 2013
Contract end date (<i>estimate only</i>)	September 30, 2013

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: AOC Standard Terms and Conditions	If selected, the person or entity submitting a proposal (the "Proposer") must sign this AOC 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: Payee Data Record Form	This form contains information the AOC requires in order to process payments.
Attachment 5: Darfur Contracting Act Certification Form	Proposer must complete the Darfur Contracting Act Certification and submit the completed certification with its proposal.
Attachment 6: Conflict of Interest Certification Form	Proposer must complete Conflict of Interest Certification and submit the completed certification with its proposal.
Attachment 7: Proposed Elder Abuse Benchbook Table of Contents	This Attachment provides context for what the benchbook will include.

5.0 SUBMISSIONS OF PROPOSALS

5.1 Proposals should provide straightforward, concise information that satisfies the requirements of Section 6, Proposal Contents. 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.

5.2 The Proposer must submit its proposal in two parts, the Technical Proposal and the Cost Proposal.

5.2.1 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 and submitted (with the copies thereof) 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.*

5.2.2 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 AOC 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.*

5.2.3 In addition to the Technical Proposal and Cost Proposal, *submit one (1) original and one (1) copy of the original signed documents for the following:*

- Attachment 2 – AOC Standard Terms and Conditions (submit only if there are exceptions/modifications as indicated on Attachment 3)
- Attachment 3 – Proposer’s Acceptance of Terms and Conditions
- Attachment 4 – Payee Data Record Form
- Attachment 5 – Darfur Contracting Act Certification Form
- Attachment 6 – Conflict of Interest Certification Form

- 5.2.4 The Proposer must submit a complete electronic version of each proposal on CD-ROM. *The files contained on the CD-ROM should be in PDF as well as editable/unprotected Word or Excel formats.*
- 5.3 Only written proposals will be accepted. Proposals must be submitted by registered or certified mail, courier service (e.g. FedEx), or delivered by hand to the following address. Proposals may not be submitted by facsimile or email.

Judicial Council of California
Administrative Office of the Courts
Fiscal Services Office, Business Services
Attn: Nadine McFadden, **RFP: CFCC-04-13-LM**
455 Golden Gate Avenue 6th Floor
San Francisco, CA 94102-3688

- 5.4 Proposals must be received by the date and time listed on the coversheet of this RFP. Late proposals will not be accepted.

6.0 PROPOSAL CONTENTS

- 6.1 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.
- 6.1.1 General information about the Proposer
- 6.1.1.1 Proposer's name, address, telephone and fax numbers, and federal tax identification number. **NOTE:** If Proposer is a sole proprietor using his or her social security number, the social security number will be required before finalizing a contract. (See 6.1.5.1)
- 6.1.1.2 The Proposer must be a member of the California State Bar and provide membership number. (See 6.1.5.5)
- 6.1.1.3 Name, title, address, telephone number, and email address of the individual who will act as Proposer's designated representative for purposes of this RFP.
- 6.1.2 Proposer's experience and ability to meet RFP deliverable requirements
- 6.1.2.1 An overview of the Proposer's business activities, including a description, and the duration and extent, of the Proposer's activities, which are relevant to this proposal including a description, and the duration and extent, of the Proposer's experience conducting the proposed activities.

6.1.2.2 For each key staff member who would work on this project, a verifiable resume describing the individual's background, training, and experience, including the individual's ability and experience in conducting similar projects.

6.1.2.3 A description of three (3) similar projects that the Proposer has completed and, if feasible, short examples of the project deliverables.

6.1.2.4 Names, addresses, and telephone numbers of three (3) clients for whom the Proposer has conducted similar projects. The AOC may check references listed by Proposer.

6.1.3 Proposed method to conduct project and project result

6.1.3.1 For each chapter, the Proposer shall set forth legal definitions, provide legal citations, California codes and rules and be written in a similar style to other AOC benchbooks.

6.1.3.2 For delivery of the educational course, the proposer shall be well versed in elder abuse issues, be able to present the curriculum in a knowledgeable and professional manner, answer questions from attendees, and proposed alternative solutions.

6.1.4 Acceptance of the Terms and Conditions

6.1.4.1 On *Attachment 3, Proposer's Acceptance of Terms and Conditions*, the Proposer must either indicate acceptance of the Terms and Conditions or clearly identify exceptions to the Terms and Conditions. An "exception" includes any addition, deletion, qualification, limitation or other change.

6.1.4.2 If exceptions are identified, the Proposer must also submit a redlined version of the Terms and Conditions that clearly tracks proposed changes, and a written explanation or rationale for each exception and/or proposed change.

NOTE: A proposal that takes a material exception (addition, deletion, or other modification) to a Minimum Term will be deemed nonresponsive. The AOC, in its sole discretion, will determine what constitutes a material exception.

6.1.5 Certifications, Attachments, and other requirements

6.1.5.1 Proposer must include in its proposal a completed and signed *Attachment 4, Payee Data Record Form*, or provide a copy of a

form previously submitted to the AOC.

6.1.5.2 Proposer must complete *Attachment 5, Darfur Contracting Act Certification Form* and submit the completed certification with its proposal.

6.1.5.3 Using *Attachment 6, Conflict of Interest Certification Form*, Proposer must certify that it has no interest that would constitute a conflict of interest under California Public Contract Code sections 10365.5, 10410 or 10411; Government Code sections 1090 et seq. or 87100 et seq.; or rule 10.103 or rule 10.104 of the California Rules of Court, which restrict employees and former employees from contracting with judicial branch entities.

6.1.5.4 If Proposer is a corporation and the contract will be performed within California, Proposer must provide proof that it is in good standing and qualified to conduct business in California. AOC may verify by checking with California's Office of the Secretary of State.

6.1.5.5 Proposer must provide copies of current business licenses, professional certifications, or other credentials.

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

6.2.1 A firm, fixed price per Deliverable that may be incurred in completing each phase of the Project and a total price for completing the entire Project and all Deliverables.

6.2.2 A detailed explanation of how the price was determined, including: (1) a detailed line item budget showing total cost of the proposed services, and (2) a full explanation of all budget line items in a narrative entitled "Budget Justification."

NOTE: It is unlawful for any person engaged in business within this state to sell or use any article or product as a "loss leader" as defined in Section 17030 of the Business and Professions Code.

7.0 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 ninety (90) day period, the AOC reserves the right to negotiate extensions to this period.

8.0 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 AOC 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.

CRITERION	MAXIMUM NUMBER OF POINTS
<i>Quality of work plan submitted as it relates to meeting the objectives outlined in the Description of Tasks and Deliverables. (RFP, section 2.0)</i>	20
<i>Ability to meet time requirements to complete the project (Attachment 2, Exhibit C, section 2)</i>	20
<i>Cost Proposal (RFP, section 6.2)</i>	30
<i>Demonstrated experience and ability. Proposer is a member of the California State Bar, with expertise in elder abuse issues and California law including court practices, and delivery of educational instruction. (RFP, sections 2.1 and 6.1)</i>	20
<i>Acceptance of the Terms and Conditions (RFP, section 6.1.4)</i>	10

9.0 INTERVIEWS

The AOC 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 be held at the AOC's offices in San Francisco. The AOC will not reimburse Proposers for any costs incurred in traveling to or from the interview location. The AOC will notify eligible Proposers regarding interview arrangements.

10.0 CONFIDENTIAL OR PROPRIETARY INFORMATION

One copy of each proposal will be retained by the AOC for official files and will become a public record. California judicial branch entities are subject to rule 10.500 of the California Rule of Court, which governs public access to judicial administrative records (see www.courtinfo.ca.gov/cms/rules/index.cfm?title=ten&linkid=rule10_500).

If information submitted in a proposal contains material noted or marked as confidential and/or proprietary that, in the AOC's sole opinion, meets the disclosure exemption requirements of Rule 10.500, then that information will not be disclosed upon a request for access to such records. If the AOC finds or reasonably believes that the material so

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marked is **not** exempt from disclosure, the AOC will disclose the information regardless of the marking or notation seeking confidential treatment.

11.0 DISABLED VETERAN BUSINESS ENTERPRISE PARTICIPATION GOALS

The AOC has waived the inclusion of DVBE participation in this solicitation.

12.0 PROTESTS

Any protests will be handled in accordance with Chapter 7 of the Judicial Branch Contract 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 AOC to receive a solicitation specifications protest is the proposal due date. Protests should be sent to:

AOC – Business Services
Attn: Protest Hearing Officer
455 Golden Gate Avenue, Sixth Floor
San Francisco, CA 94102-3688

END OF RFP