



REQUEST FOR PROPOSALS

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

**REGARDING:
EVALUATION OF PILOT PROJECTS UNDER
THE SARGENT SHRIVER CIVIL COUNSEL ACT
(CFCC 10-11-LM)**

**PROPOSALS DUE:
FEBRUARY 24, 2012, AT CLOSE OF BUSINESS (PST).**

GENERAL INFORMATION

1.0 BACKGROUND INFORMATION

- 1.1 The Judicial Council of California (Judicial Council), 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 is the staff agency for the Council and assists both the Council and its chair in performing their duties and is a Judicial Branch Entity (**JBE/AOC**).
- 1.2 Objective. The objective of this RFP is an evaluation study to identify and assess the key outcomes for pilot programs in provision of legal representation in civil cases.
- 1.3 Website. For additional information about this solicitation, including electronic copies of the solicitation documents, see the California Courts Website located at www.courts.ca.gov/rfps.htm ("Courts Website"). The monetary range of the Project is **\$247,000.00 to \$290,000.00 for each term**.
- 1.4 The Center for Families, Children & the Courts, a division of the Administrative Office of the Courts, provides a range of services to courts in California, including funding, research and technical assistance for self-help centers, family law facilitators, partnership programs between courts and legal services providers, and other equal access programs in the legal services community. The Contract Administrator will manage the pilot and evaluation projects described in this RFP.
 - 1.2.1 The fact sheet for CFCC is located at:
<http://www.courts.ca.gov/documents/cfcc.pdf>
 - 1.2.2 The web site for CFCC is located at:
<http://www.courts.ca.gov/programs-cfcc.htm>
- 1.5 California Assembly Bill No. 590, Statutes, 2009, Chapter 457 (Feuer)

AB 590 establishes a pilot project to be administered by the Judicial Council for the appointment of legal representation for unrepresented low-income parties in civil matters involving critical issues, such as domestic violence, child custody, housing and elder abuse so that judicial decisions are made on the basis of the necessary information and the parties have an adequate understanding of the orders to which they are subject. Expanding representation will not only improve access to the courts and the quality of justice obtained by these individuals, but will allow court calendars that currently include many unrepresented litigants to be handled more effectively and efficiently.

1.5.1 The legislation is located at:

http://www.leginfo.ca.gov/pub/09-10/bill/asm/ab_0551-0600/ab_590_bill_20091011_chaptered.pdf

1.6 Pilot Projects under the Sargent Shriver Civil Counsel Act (AB 590 [Feuer]) (“Pilot Projects”)

Nine (9) pilot projects in seven (7) counties have been selected by the Judicial Council and will begin operation in the beginning of 2012. *The pilot projects will be conducted in the following counties: Los Angeles (2 pilot projects), San Diego (2 pilot projects), Santa Barbara, Kern, San Francisco, Yolo, and Sacramento.* All projects include one or more legal services providers working in collaboration with their local superior courts. All pilot projects provide representation to low income Californians who are facing a represented party. Four (4) of the pilot projects will provide representation in housing matters. Three (3) of the pilot projects will provide representation in family cases which include a disputed child custody matter, and one (1) pilot project will provide representation in guardianship and conservatorship proceedings.

In all pilot projects, the legal services providers will collaborate closely with the California Superior Court to ensure that a range of services is available to the persons in court who are eligible for pilot project services and that systems are developed to link parties with appropriate services, including those services currently operated by the court such as self help centers, family law facilitators, workshops and other educational services. In addition, the pilots will establish new systems in the court such as early settlement calendars, specialty housing staff and new mediation services.

1.6.1 AB 590 requires the Judicial Council to conduct an evaluation to demonstrate the effectiveness and continued need for the pilot program, and to report its findings and recommendations to the Governor and the Legislature on or before January 31, 2016. The objectives of the study as defined in the legislation are:

“The Judicial Council shall conduct a study to demonstrate the effectiveness and continued need for the pilot program established pursuant to this section and shall report its findings and recommendations to the Governor and the Legislature on or before January 31, 2016. The study shall report on the percentage of funding by case type and shall include data on the impact of counsel on equal access to justice and the effect on court administration and efficiency, and enhanced coordination between courts and other government service providers and community resources. This report shall describe the benefits of providing representation to those who were previously not represented, both the clients and the courts, as well as strategies and recommendations for maximizing the benefit of that representation in the future. The report shall describe and include data, if available, on the impact of the pilot program on families and children. The report also shall include an assessment of the continuing unmet needs and, if available, data regarding those unmet needs.”

1.6.2 A preliminary study of the evaluation design determined that the evaluation should proceed over two terms. The **First Term** begins **April 1, 2012** and ends **December 31, 2012** will be devoted to process evaluation and data collection on program services in all nine (9) pilots, and development of the methodology for experimental design studies.

1.6.3 The **Second Term** begins **January 1, 2013** and ends **December 31, 2013** will be devoted to continuing data collection on program services and conducting at least two (2) experimental design studies of outcomes.

1.6.4 The contract is funded on a term basis.

2.0 DESCRIPTION OF SERVICES AND DELIVERABLES

2.1 The services sought are those of a person or entity with demonstrated expertise in evaluation, data collection, and legal services and court programs in the areas of family and housing law to conduct, in partnership with the JBE/AOC and an advisory committee, the evaluation of the nine (9) pilot projects. This RFP is the means for prospective professionals to submit their qualifications to the JBE/AOC and request selection as the Contractor on this solicitation. *Applications are encouraged from research organizations, academic institutions, and independent researchers. Given the broad range of knowledge and technical expertise required for the project, applications are especially encouraged that identify subject matter experts in the different areas that will be required.*

The Contractor will design and conduct both descriptive data collection and analysis, and experimental design evaluation. For the descriptive data collection and analysis, the evaluator will work from the descriptions of pilot outcomes that have been developed by the programs and make such data operational for quantitative data collection. The evaluator will work with the legal services pilots and the associated local courts to integrate the necessary data elements into existing data collection systems assist in collecting the data and provide statistical reports on pilot services and outcomes to the JBE/AOC. For the experimental design evaluation, the evaluator is expected to design one evaluation plan for housing projects and one plan for child custody projects, and implement them in 2 housing pilots and 2 child custody pilots.

2.2 Proposers are encouraged to familiarize themselves with the following documents before addressing the work to be performed:

2.2.1 Judicial Council Fact Sheet about the pilot projects
(<http://www.courts.ca.gov/documents/AB-590.pdf>); and

2.2.2 AB 590
(http://www.leginfo.ca.gov/pub/09-10/bill/asm/ab0551-0600/ab590bill20091011_chaptered.pdf).

2.2.3 Attachment 7, Overview of AB 590 Evaluation Themes.

2.3 First Term Work

- Design and implement descriptive data collection on services in all pilots.
- Oversee descriptive data collection in pilots and provide technical assistance.
- Produce statistical reports from the descriptive data.
- Design the methodology for experimental design evaluations in 4 pilots.
- The work will require frequent site visits to the pilot programs.

2.4 Second Term Work

- Continue overseeing descriptive data collection in pilots, providing technical assistance in data collection, and producing statistical reports.
- Implement the experimental design evaluations in 4 pilots.
- The work will require frequent site visits to the pilot programs.

3.0 TIMELINE FOR THIS RFP

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

EVENT	DATE
RFP issued	January 13, 2012
Pre-proposal dial-in conference at 10:00 am. (PST) <i>(See 9.0 Pre-proposal Dial-in Conference, below)</i>	January 25, 2012
Deadline for questions to Solicitations@jud.ca.gov	January 27, 2012, at close of business (PST)
Posting of questions and answers proffered at dial-in conference and those submitted to Solicitations@jud.ca.gov mailbox by the deadline <i>(estimate only)</i>	February 6, 2012
Proposal Due Date	February 24, 2012, at close of business (PST)
Evaluation of proposals <i>(estimate only)</i>	February 27 - March 7, 2012
Notice of Intent to Award <i>(estimate only)</i>	March 9, 2012
Negotiations and execution of contract <i>(estimate only)</i>	March 30, 2012

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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: JBE/AOC Contract Terms and Conditions	<p>If selected, the person or entity submitting a proposal (the “Proposer”) must sign a JBE/AOC Standard Form agreement containing these terms and conditions (the “Terms and Conditions”).</p> <p>The provisions marked with an (*) within the Terms and Conditions are minimum contract terms and conditions (“Minimum Terms”).</p>
Attachment 3: Proposer’s Acceptance of the RFP’s 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 JBE/AOC requires in order to process payments.
Attachment 5: Darfur Contracting Act Certification	Proposer must complete the Darfur Contracting Act Certification and submit the completed certification with its proposal.
Attachment 6: Conflict of Interest Certification Form	This Attachment contains the acceptance of the clause “Conflict of Interest.”
Attachment 7: Overview of AB 590 Evaluation Themes	This Attachment contains the “Outline of Hypotheses, Themes, Outcomes and Evaluation Methods Inferred from AB 590”
Attachment 8: Basic Data Elements Collected by Legal Aid Providers’ Case Management Systems	<p>This Attachment contains the:</p> <ol style="list-style-type: none"> 1. Standard Data – Collected by All Systems, 2. Additional Data – Collected for Specific Funders and 3. Customizable Data Collection for Special Purposes.

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.
- a. The Proposer must submit **one (1) original and three (3) copies** of the technical proposal. The original must be signed by an authorized

representative of the Proposer. 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 three (3) 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 JBE/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.
- c. The Proposer must submit an electronic version of the entire proposal on CD-ROM. The files contained on the CD-ROM should be in PDF, Word, or Excel formats. Résumés are to be in Word format.

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

Judicial Council of California
Administrative Office of the Courts
Attn: Nadine McFadden, RFP: CFCC 10-11-LM
455 Golden Gate Avenue
San Francisco, CA 94102-3688

5.4 Late proposals will not be accepted.

5.5 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.

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.

- a. Proposer's name, address, telephone and fax numbers, and federal tax identification number. Note that if 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 Proposer's designated representative for purposes of this RFP.
- c. For each key personnel: a resume describing the individual's background and experience, as well as the individual's ability and experience in conducting the proposed activities.

- d. Names, addresses, and telephone numbers of a minimum of **three (3)** clients for whom the Proposer has conducted similar services. The JBE/AOC may check references listed by Proposer.
- e. Proposed method to complete the work specified in *8.0 Evaluation of Proposals*, below.
- f. Acceptance of the Terms and Conditions.
 - i. On *Proposer's Acceptance of Terms and Condition (Attachment 3)*, 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.
 - ii. 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.
 - iii. **Note: A material exception to a Minimum Term will render a proposal non-responsive.**
- g. Certifications, Attachments, and other requirements.
 - i. Proposer must include the following certification in its proposal:

Proposer 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. (*Attachment 6*)
 - ii. Proposer must include in its proposal a completed and signed *Payee Data Record Form (Attachment 4)*, or provide a copy of a form previously submitted to the JBE/AOC.
 - iii. If Proposer has had business activities or other operations outside of the United States within the previous three years, Proposer must complete the *Darfur Contracting Act Certification (Attachment 5)*, and submit the completed certification with its proposal.
 - iv. If Proposer is a corporation, proof that Proposer is in good standing and qualified to conduct business in California.
- h. Submission of Proposals
 - i. Proposer should include the following attachments in the Technical Proposal:

- a. Attachment 2, Appendix A - Standard Terms and Conditions– only if there are exceptions/modifications as indicated on Attachment 3.
 - b. Attachment 3 - Proposer’s Acceptance of Terms and Conditions
 - c. Attachment 4 – Payee Data Record Form
 - d. Attachment 5 – Darfur Contracting Act Certification
 - e. Attachment 6 – Conflict of Interest Certification Form
- ii. Proposer should include the following attachment in the Cost Proposal
 - a. Cost Proposal

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

The Contractor will be paid a firm fixed price for a series of deliverables described in *Work to be Performed (Attachment 2, Exhibit C)*.

- 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.”

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 JBE/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 JBE/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.

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Criteria	Maximum # of Points
<p><i>Quality of work plan submitted</i></p> <ul style="list-style-type: none"> • Proposed overall project timeline and assigned responsibilities; • Proposed method to collect all data specified in Exhibit D, including strategies for data collection technology. • Proposed methods for working with stakeholders, including legal services programs, judicial officers and court staff, clients of the programs, and pro bono attorneys, to encourage their participation in the evaluation. • Evidence of innovative approaches to the problem of evaluation in the area of legal services, including knowledge of the challenges to defining measurable outcomes and comparison groups, and proposed solutions. • Proposed method for designing study components that will be implemented in calendar year 2013. • Proposed project and team organization; and • Proposed approach of obtaining Contract Administrator’s review and approval of all research design elements and deliverables developed for the project. 	25
<p><i>Reasonableness of Cost/Fee Proposal</i></p>	30
<p><i>Experience on similar assignments</i></p> <ul style="list-style-type: none"> • Proposer has demonstrated experience with evaluation in the area of legal services and self help centers; • Proposer is familiar with quantitative and qualitative evaluation theory; and • Proposer has demonstrated knowledge and understanding of the California superior courts, the legal services network, the self-help center network, pro bono providers, and the range of civil case types including family law addressed by the project. 	20
<p><i>Credentials of staff to be assigned to the project</i></p> <ul style="list-style-type: none"> • Provide current resume or curriculum vitae for professional staff working on the project, including information on academic and employment history, publications, presentations, 	10

professional memberships and awards; <ul style="list-style-type: none"> • Provide names and brief descriptions of evaluation projects of similar scope and/or related to the case types described in this RFP, that professional staff have worked on; and • Provide the most recent resume and the names, physical and electronic addresses, and telephone numbers of a minimum of three (3) clients for whom the proposed key personnel has conducted similar services. The JBE/AOC may check references listed by the proposer. 	
<i>Acceptance of the Terms and Conditions</i>	10
<i>Ability to meet timing requirements to complete the project</i>	5

9.0 PRE-PROPOSAL DIAL-IN CONFERENCE

The JBE/AOC will hold a pre-proposal dial-in conference on **January 25, 2012 at 10:00 am PST**. The specifications for the conference are as follows:

- To join dial-in conference, the primary dial-in number is 1-866-629-7499. The alternate dial-in number is 1-773-843-6385.
- Enter passcode: 8479522#
- Press*

10.0 CONFIDENTIAL OR PROPRIETARY INFORMATION

One copy of each proposal will be retained by the JBE/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 JBE/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 JBE/AOC finds or reasonably believes that the material so marked is **not** exempt from disclosure, the JBE/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

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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 JBE/AOC to receive a solicitation specifications protest is **February 24, 2012**. Protests should be sent to:

Administrative Office of the Courts
Business Services
Attn: Protest Hearing Officer
455 Golden Gate Avenue, Seventh Floor
San Francisco, CA 94102-3688

END OF RFP