



REQUEST FOR PROPOSALS

ADMINISTRATIVE OFFICE OF THE COURTS (AOC)

RFP Title: Trial Skills Training for Court Appointed Counsel

RFP Number: CFCC 2012-03-RB

Due Date and Time: February 11, 2013, 3:00pm Pacific time:

1.0 BACKGROUND INFORMATION

- 1.1 Judicial Council of California. The Judicial Council of California (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 (AOC) is the staff agency for the Council and assists both the Council and its chair in performing their duties. The AOC's Center for Families, Children and the Courts (CFCC) supports programs in court settings that improve practice and services for children, youth, parents, families and other court users.
- 1.2 Court-appointed dependency counsel in California. Children in California who are parties to dependency proceedings are appointed legal counsel by the court. Court-appointed dependency counsel is a state funded cost and administered through the AOC. Counsel is provided by numerous firms and local practitioners in the state. There are approximately 1,000 dependency attorneys practicing in California. The AOC's CFCC provides training and technical assistance for court appointed dependency counsel, the courts and other justice system partners to improve skills that will lead to better outcomes for children and families.
- 1.3 Objective. This request seeks proposals to provide advanced trial skills training for up to 100 dependency attorneys who represent children. The outcome sought is improved representation of children in California. In order to meet this goal, the trial skills training will fulfill the following objectives: better adherence to hearing and reunification timelines; successful command of the appeals process to include establishing adequate records, identifying issues and knowing appropriate timelines for writs and appeals; and establishment of a core group of expertly trained attorneys who will serve as mentors to other attorneys throughout the state.

2.0 DESCRIPTION OF SERVICES AND DELIVERABLES

2.1 Introduction

The AOC seeks the services of an entity with expertise in trial skills training to provide training for court appointed dependency attorneys to improve their confidence, effectiveness and advocacy when representing children. The training must be conducted in a format that is highly interactive and participatory with opportunities for attendees to practice and receive individual feedback from the instructor(s). A shortened and modified version of the in-person training must be delivered as a statewide broadcast. The training content must also include a

RFP Title: Trial Skills Training for Court Appointed Counsel

RFP Number: CFCC 2012-03-RB

mentoring/training component for the attorneys to serve as mentors to other attorneys throughout the state. The funding available for this project is between \$75,000 and \$85,000 which **includes all expenses associated with deliverables, AND travel**. The work is expected to begin in March, 2013 and end by November 30, 2013.

2.2 General Scope of Services Requirements

- 2.2.1 The training program must be targeted and suitable for attorneys who have already had some training or on the job experience in trial skills, but be able to respond to and meet the needs of varied levels of experience.
- 2.2.2 The training content must cover advanced trial skills necessary to achieve expert, zealous representation of children and lead to improved outcomes for dependent children in California.
- 2.2.3 The Proposer's training method and content should be designed to improve the following skills: case analysis, direct examination, cross examination, examination of experts and other witnesses, arguments, use of exhibits and advanced knowledge of and securing strong records for appeals process.
- 2.2.4 The Proposer's training method and content must include a mentoring/training component for the attorneys to serve as mentors to other attorneys throughout the state. The mentoring component shall include effective skill building on the following: observation, case staffing and analysis, critique, case debrief, teaching and learning styles and relationship building.
- 2.2.5 The training program must include a significant amount of participatory activity and include a method for practice and individual feedback from the instructor (s).
- 2.2.6 The training program must include different methods for discussion that would include audio/visual vignettes, as well as case studies, other written materials, handouts and job aids.
- 2.2.7 The program must be presented in four locations in California. The locations will depend upon need, but estimated areas include Riverside, Fresno, Sacramento, and Bay Area. The training will include up to 4 consecutive days of instruction with up to 25 participants per location.
- 2.2.8 The training program must have an evaluative component.
- 2.2.9 Trainers must present a shortened and modified overview of the training as one-hour statewide broadcast through the California court satellite

training network. This broadcast will be recorded by the AOC for AOC's future unlimited use.

2.3 Tasks and Deliverables.

The AOC anticipates the following major tasks and specific deliverables in connection with the scope of services described in this Request for Proposal (RFP). Without changing the Deliverables, the Proposer should correct, validate and expand on the tasks, as deemed necessary or desirable by the Proposer.

2.3.1 Task 1 – Curriculum Development

2.3.1.1 Review information about California court appointed attorneys for children

2.3.1.2 Meet with and obtain input from CFCC dependency attorneys on needs, gaps, objectives and outcomes for this project.

2.3.1.3 Incorporate content to build skills in the following areas: case analysis, direct examination, cross examination, examination of experts and other witnesses, arguments, use of exhibits and advanced knowledge of and securing strong records for appeals process.

2.3.1.4 Incorporate a mentoring component to the training content to include: observation, case staffing and analysis, critique, case debrief, and relationship building. The mentoring component shall include an outline and content for mentoring.

2.3.1.5 Design and develop the curriculum that shall include competencies, objectives, outline and agenda with content to be covered, instructor training or lesson plan that includes key points for each learning objective, and participant materials, power point presentations and other multi-media presentations or training methods, exercises, hypotheticals, case studies, practice opportunities with direct and immediate individual feedback/critique, participant evaluation forms and other handouts.

2.3.1.6 Make modifications to curriculum based on feedback from CFCC dependency attorneys.

2.3.1.7 Deliverable 1: Complete curriculum package, which the AOC will receive copies of and be able to use for future trainings, including all items mentioned above, 30 days prior to the first scheduled training event to provide AOC staff an opportunity to review and collaborate on any needed changes. Due date: April 30, 2013

2.3.2 Task 2 – Program presentations

2.3.2.1 Schedule and coordinate logistics, including registration, for training programs in four locations in California with AOC staff (AOC to identify attendees, provide names and contact information of attendees to contractor and secure space for the trainings)

2.3.2.2 Reproduce and assemble program materials for instructors and participants

2.3.2.3 Provide faculty and conduct trainings in four locations that are up to 4 days in length at each location

2.3.2.4 Review feedback from evaluations and debrief with AOC staff

2.3.2.5 Revise curriculum package as required by AOC.

2.3.2.6 Deliverable 2: Program presented in first location and registration and evaluation information provided to AOC staff, as well as debrief with staff within 10 days following the training. The first training shall occur by May 30, 2013.

2.3.2.7 Deliverable 3: Program presented in second location and registration and evaluation information provided to AOC staff, as well as debrief with staff within 10 days following the training. The second training shall occur by June 30, 2013.

2.3.2.8 Deliverable 4: Program presented in third location and registration and evaluation information provided to AOC staff, as well as debrief with staff within 10 days following the training. The third training shall occur by September 30, 2013.

2.3.2.9 Deliverable 5: Program presented in fourth location and registration and evaluation information provided to AOC staff, as well as debrief with staff within 10 days following the training. The fourth training shall occur by October 31, 2013.

2.3.3 Task 3 – One hour statewide broadcast on the program

2.3.3.1 Prepare a one-hour presentation in writing (script) for a video broadcast that summarizes the key points of the training

2.3.3.2 Provide faculty for the broadcast at AOC San Francisco offices.

2.3.3.3 Deliverable 6: Provide the written materials and script for a one hour statewide broadcast to AOC staff to review and make any needed changes at least 30 days prior to broadcast recording. Due date: October 31, 2013.

RFP Title: Trial Skills Training for Court Appointed Counsel
RFP Number: CFCC 2012-03-RB

2.3.3.4 Deliverable 7: Deliver the one-hour presentation which the AOC will record and use for future unlimited use. Due date: November 30, 2013.

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	January 18, 2013
Deadline for questions to solicitations@jud.ca.gov	January 30, 2013
Questions and answers posted	February 6, 2013
Latest date and time proposal may be submitted	February 15, 2013 by 3:00 pm Pacific Time
Evaluation of proposals (<i>estimate only</i>)	February 15-22, 2013
Notice of Intent to Award (<i>estimate only</i>)	February 22, 2013
Negotiations and execution of contract (<i>estimate only</i>)	February 23-March 13, 2013
Notice of Award (<i>estimate only</i>)	March 13, 2013
Contract start date (<i>estimate only</i>)	March 13, 2013
Contract end date (<i>estimate only</i>)	November 30, 2013

RFP Title: Trial Skills Training for Court Appointed Counsel

RFP Number: CFCC 2012-03-RB

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 an AOC Standard Form agreement containing these terms and conditions (the “Terms and Conditions”).
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	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

5.0 SUBMISSIONS OF PROPOSALS

- 5.1 Proposals should provide straightforward, concise information that satisfies the requirements of Section 7 (“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 **one (1) original and three (3) copies** of its 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 or box.
- 5.3 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.

RFP Title: Trial Skills Training for Court Appointed Counsel
RFP Number: CFCC 2012-03-RB

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

Administrative Office of the Courts
Attn: Nadine McFadden, CFCC 2012-03-RB
455 Golden Gate Avenue
San Francisco, CA 94102

- 5.5 Late proposals will not be accepted.
- 5.6 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 The following information must be included in the proposal.
- 6.1.1 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.
- 6.1.2 Name, title, address, telephone number, and email address of the individual who will act as Proposer's designated representative for purposes of this RFP.
- 6.1.3 For each key staff member: a resume describing the individual's background and experience, as well as the individual's ability and experience in conducting the proposed activities.
- 6.1.4 Names, addresses, and telephone numbers of a minimum of three (3) clients for whom the Proposer has conducted similar services. The AOC may check references listed by Proposer.
- 6.2 Proposed method to complete the work.
- 6.2.1 Describe the methods and timeline to complete each of Tasks 1, 2, and 3, that also includes:
- 6.2.1.1 Dates and estimated timeframes to perform each subtask,
- 6.2.1.2 meeting with AOC attorneys for review of revisions to curriculum,
- 6.2.1.3 development of materials,
- 6.2.1.4 selection of faculty,

- 6.2.1.5 training at each of the 4 locations,
- 6.2.1.6 evaluation process,
- 6.2.1.7 and broadcast.
- 6.2.2 Describe the process or methods to be used for development of advanced training content and materials.
- 6.2.3 Describe how you will integrate feedback from participants as part of the training process.
- 6.2.4 Describe your evaluation process.
- 6.3 Acceptance of the Terms and Conditions.
 - 6.3.1 On 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.
 - 6.3.2 If exceptions are identified, the Proposer must also submit a red-lined 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.**
- 6.4 Certifications, Attachments, and other requirements.

Proposer must include the following certification in its proposal:

- 6.4.1 Proposer must include in its proposal a completed and signed Payee Data Record Form (see Attachment 4), or provide a copy of a form previously submitted to the AOC.
- 6.4.2 Proposer must complete the Darfur Contracting Act Certification attached as Attachment 5 and submit the completed certification with its proposal.
- 6.4.3 Using Attachment 6, Proposer certifies 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.

RFP Title: Trial Skills Training for Court Appointed Counsel

RFP Number: CFCC 2012-03-RB

6.4.4 If Proposer is a corporation, proof that Proposer 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.

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

6.5.1 Cost proposals must include firm-fixed prices for each of the 7 Deliverables specified in section 2 "Description of Services and Deliverables" of this RFP excluding travel. All cost elements, except travel, must be shown on a separate line for each Deliverable.

6.5.2 Actual deliverable locations have not been determined. However, for AOC's planning purposes only, please estimate travel for Deliverables to the following locations: Riverside, Fresno, Sacramento, and Bay Area. Actual travel expenses will be reimbursed as set forth in Attachment 2, AOC Terms and Conditions, Exhibit C, Payment Provisions, Section 3, Compensation for Allowable Expenses.

6.5.3 A full explanation of all budget line items in a narrative entitled "Budget Justification."

6.5.4 A "not to exceed" total for all Deliverables payable under the contract, if awarded.

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

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

RFP Title: Trial Skills Training for Court Appointed Counsel

RFP Number: CFCC 2012-03-RB

- 8.2 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. 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. The evaluation categories, maximum possible points for each category, and evaluation criteria for each category are set forth below:

CRITERION	REFERENCES TO APPLICABLE RFP SECTIONS AND SUBMITTALS	MAXIMUM NUMBER OF POINTS
Quality of work plan submitted	6.2.2, 6.2.3, 6.2.4	15
A combination of subject matter expertise, experience on similar assignments and reference checks related to those assignments	6.1.3, 6.1.4, 9.0	25
Cost	6.5	30
Acceptance of the Terms and Conditions	6.3, Attachment 3, Attachment 5, Attachment 6, Attachment 7	10
Ability to meet timing requirements to complete the project	6.2.1	20

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 likely 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

10.1 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).

10.2 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 marked is **not** exempt from disclosure, the

RFP Title: Trial Skills Training for Court Appointed Counsel

RFP Number: CFCC 2012-03-RB

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