



Judicial Council of California
ADMINISTRATIVE OFFICE OF THE COURTS

FINANCE DIVISION

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TO: POTENTIAL PROPOSERS

FROM: Administrative Office of the Courts
Finance Division

DATE: January 8, 2009

SUBJECT/PURPOSE OF MEMO: REQUEST FOR PROPOSALS
The Executive Office Programs Division (EOP) of the Administrative Office of the Courts (AOC) seeks the services of a contractor to provide 4 professional facilitators—preferably attorneys or legal experts familiar with the California state courts—to (1) participate in advance preparation for; and (2) provide conference facilitation services at the Judicial Council of California’s annual judicial branch planning meeting to be held in San Francisco, California, June 24–26, 2008.

ACTION REQUIRED: You are invited to review and respond to the attached Request for Proposals (“RFP”):
Project Title: Conference Facilitation Services
RFP Number: **EOP-0901-RB**

PROPOSAL DUE DATE: **Proposals must be received by close of business on January 29, 2009**

SUBMISSION OF PROPOSAL: Proposals must be sent to:
Judicial Council of California
Administrative Office of the Courts
Attn: Nadine McFadden, EOP-0901-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.

1.2 Judicial Council of California, Annual Judicial Branch Planning Meeting

The Executive Office Programs Division (EOP) of the Administrative Office of the Courts (AOC) serves the Judicial Council in planning judicial branch services to meet the needs of all Californians. To support the Judicial Council's planning efforts, EOP's planning unit solicits wide-ranging stakeholder input to inform the council's planning activities. This data is presented to the council at its annual branch planning meeting at which time council members engage in small group facilitated discussions to identify branch priorities.

2.0 PURPOSE OF THIS RFP

2.1 EOP seeks the services of a contractor to provide 4 professional facilitators—preferably attorneys or legal experts familiar with the California state courts—to (1) participate in advance preparation for; and (2) provide conference facilitation services at the Judicial Council of California's annual judicial branch planning meeting. **The meeting will be held in San Francisco, California, June 24–26, 2009.**

2.2 The focus of the 2009 planning meeting will be the proposed final report and recommendations of the Council's *Commission for Impartial Courts*. The Commission for Impartial Courts was formed in September 2007 with the responsibility to recommend actions that should be taken by the Judicial Council of California with respect to judicial elections in order to safeguard the quality, impartiality, and accountability of the California judiciary for the benefit of all its citizens.

2.3 Proposers for the RFP should be familiar with the following three documents:

- A. Justice in Focus, the Strategic Plan for California's Judicial Branch, 2006—2012, which can be found on the web at:

http://www.courtinfo.ca.gov/reference/documents/strategic_plan_2006-2012-full.pdf

- B. The Operational Plan for California's Judicial Branch, 2008–2011, which can be found on the web at:

www.courtinfo.ca.gov/reference/documents/2008_operational_plan.pdf

- C. The Interim Report to the Judicial Council of the Commission for Impartial Courts (August 2008) and the forthcoming proposed Final Report with findings and recommendations for the Judicial Council (March 2009). The Interim Report can be found on the web at:

<http://www.courtinfo.ca.gov/jc/documents/reports/081508item9.pdf>

The interim report and recommendations will contain the findings of four task forces. The Commission's Steering Committee is charged with overseeing and coordinating the work of the four task forces and presenting overall recommendations to the Judicial Council in 2009. The 4 task forces are:

- i. Judicial Campaign Finance Task Force. This task force will make recommendations to the steering committee regarding any proposals to better regulate contributions to, financing of, or spending by candidates of campaigns for judicial office, or to improve or better regulate judicial campaign advertising, including through enhanced disclosure requirements.
- ii. Judicial Candidate Campaign Conduct Task Force. This task force will make recommendations to the steering committee regarding any proposals to promote ethical and professional conduct by candidates for judicial office; including through statutory change, promulgation or modification of canons of judicial ethics; improving mechanisms for the enforcement of the canons; and promotion of mechanisms encouraging voluntary compliance with ethics provisions by candidates for judicial office.
- iii. Judicial Selection and Retention Task Force. This task force will make recommendations to the steering committee regarding any proposals to improve the methods and procedures of selecting and retaining judges and regarding the terms of judicial office and timing of judicial elections.
- iv. Public Information and Education Task Force. This task force will make recommendations to the steering committee regarding any proposals to improve public information and education concerning the judiciary, both during judicial election campaigns and otherwise. Proposals may include methods to improve voter access to accurate and unbiased information about the qualifications of judicial candidates and to improve public understanding of the role and decision-making processes of the judiciary.

As the task force develops public information and education strategies, it should focus on ways to prevent or respond to unfair criticism, personal attacks on judges, institutional attacks on the judiciary, inappropriate judicial campaign conduct, or other challenges to judicial impartiality arising from unpopular judicial decisions. In forming strategies, the task force should consider all available avenues to develop and strengthen partnerships with other organizations, such as state and local bar associations, educational institutions, and the California Judges Association, which has a program for responding to criticism of judges.

3.0 RFP SCHEDULE AND GENERAL INSTRUCTIONS

3.1 The AOC has developed the following list of key events and dates from issuances of this RFP through commencement of contracted services. All key events and dates are subject to change at the AOC’s sole discretion.

<i>Event Description</i>	<i>Key Dates</i>
RFP Posted	Jan 8, 2009
Deadline for Proposers Questions	Jan 15, 2009
AOC Posts Clarification / Response to Proposers Questions (estimated)	Jan 22, 2009
Proposal Due Date (close of business)	Jan 29, 2009
Notice of Intent to Award Contract (estimated)	Feb 12, 2009
Commencement of Contracted Services	Mar 1, 2009

3.1 The RFP and any addenda that may be issued, including responses to proposers’ requests for clarification or modification, will be made available on the following website:

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

3.2 Request for Clarifications or Modifications

3.2.1 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

- 3.2.2 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.

- 3.3 All e-mail correspondence 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.
 - 3.3.1 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.

 - 3.3.2 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 Form
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 Services Short Form Agreement
- 4.4 Attachment C, Contract Exceptions Form. 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 March 16, 2009, and July 6, 2009
- 5.2 The selected firm will perform the following tasks:
 - 5.2.1 Between March 2009 and June 2009: attend and participate in 4 pre-conference planning sessions (1 hour each Planning sessions 1 through 3 may be held via conference call, video conference, or in person (depending on location of the selected vendor). Participants at sessions 1 and 2 will be AOC Planning Staff and the *Principal Facilitator/Team leader*; participants at sessions 3 and 4 will be AOC Planning Staff and *all facilitators*. For planning session 4, at which the structure, processes, and activities of the June conference will be determined, at least the principal representative/team leader must be present on site (at the AOC's San Francisco office).
 - 5.2.2 June 24–26, 2009, Attend the Judicial Council Branch Planning Meeting, June 24 (opening session) as well as facilitate small group sessions to be held on June 24, 25 and 26, 2009, at a venue to be determined in San Francisco, California.
 - 5.2.3 June 26, 2009: Participate in one post conference debriefing session to be held on June 26, 2009
 - 5.2.4 On or before July 6, 2009: Provide a written summary of major small group session highlights to EOP staff.

6.0 EVALUATION OF PROPOSALS

Proposals will be evaluated by the AOC using the following criteria, in order of descending priority:

- a. Experience , Team Organization, the amount of work subcontracted out
- b. Credentials of staff to be assigned to the project and references
- c. Quality of Project plan submitted
- d. Reasonableness of fee proposal
- e. The extent of any proposed contract exceptions.
- f. Ability to meet timing requirements to complete the project

7.0 SPECIFICS OF A RESPONSIVE PROPOSAL

7.1 Responsive proposals should provide straightforward, concise information that satisfies the requirements noted above. 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.

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

Section 1: Company name, address, telephone and fax numbers, and federal tax identification number. Note that if the proposer is a sole proprietorship, a social security number will be required prior to finalizing a contract. Also provide the name, telephone number, title and e-mail address of a single point of contact.

Section 2: Description of resources to be provided including:

- (1) Proposed project and team organization, identifying the names of facilitators and other key personnel, their roles and responsibilities, and their estimated individual time allocation to this project.
- (2) Name of each proposed facilitator and a description of his/her relevant experience necessary to complete this project.
- (3) Names of subcontractors, the services they will provide, if any, and the estimated subcontractor dollar amounts to be paid. If none, so state.

- (4) Resumes describing the credentials, background, and experience of each facilitator.

Section 3: The Project Plan. The Project plan will include a description of the proposed activities and methods to complete the Project, including:

- (1) A summary of the overall project plan that includes a time line and time estimates for the completion of all work required.
- (2) Proposed strategies and methods that will be employed to achieve the project objectives and produce the project deliverables.

Section 4: References including the names, addresses, and telephone numbers of at least three (3) clients (excluding the AOC or EOP) for whom the proposer has conducted similar services within the last three years. The AOC may check references listed by the proposer.

Section 5: Cost proposal prepared in accordance with 8.0 Fee Proposal.

Section 6: A completed and signed Attachment C, Contract Exceptions Form

Section 7: A completed and signed Attachment D, Payee Data Record

8.0 FEE PROPOSAL

As a separate document, submit a detailed line item budget showing total cost of the services. Fully explain and justify all budget line items in a narrative entitled “Budget Justification.”

The total cost for consultant services will be in the range of \$25,000 to \$45,000 inclusive of personnel, materials, computer support, travel, lodging, taxes and assessments, including the mandated San Francisco Tourism Improvement District assessment and Transient Occupancy Tax, meals, per diem, and overhead rates. The method of payment to the consultant will be by firm fixed amounts per completed work product specified in Attachment B terms and conditions.

9.0 SUBMISSION OF PROPOSALS

9.1 An original and 4 copies of the proposal signed by an authorized representative of the proposer, including name, title, address, and telephone number of one individual who is the responder’s designated representative. An electronic copy of the proposal on CD must also be provided.

- 9.2** Proposals must be delivered to the individual listed in the Submission of Proposals section of the coversheet to this RFP.
- 9.3** Only written responses will be accepted. Responses should be sent by registered or certified mail or by hand delivery.

10.0 RIGHTS

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.

11.0 ADDITIONAL REQUIREMENTS

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. The AOC will notify prospective service providers regarding the interview arrangements.

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.