



**Judicial Council of California**  
ADMINISTRATIVE OFFICE OF THE COURTS

FINANCE DIVISION

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

**DATE:** May 19, 2011

**SUBJECT/PURPOSE OF MEMO:** Request For Proposals: Data collection and collaborative research program with an accredited university in the San Francisco Bay Area

**ACTION REQUIRED:** You are invited to review and respond to the attached Request for Proposals (“RFP”):  
Project Title: Data collection and collaborative research program  
RFP Number: EOP-201101-RB

**PROPOSAL DUE DATE:** Proposals must be received by no later than 1 p.m. Pacific Time, June 7, 2011

**SUBMISSION OF PROPOSAL:** **Proposals must be sent to:**  
Judicial Council of California  
Administrative Office of the Courts  
Attn: Nadine McFadden  
455 Golden Gate Avenue, EOP-201101-RB  
San Francisco, CA 94102

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

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## **1. GENERAL INFORMATION**

- 1.1. 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, conducts research and evaluation and collects data on court operations 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. As part of its mandate to improve the administration of justice, the quality of service to the public and access to the courts, the AOC regularly collects, analyzes and reports data on court operations and performance to the public and other branches of government.

## **2. TIMELINE FOR THIS RFP**

- 2.1. The AOC has developed the following list of key events from RFP issuance through intent to award contract. All key dates are subject to change at the AOC's discretion.

EVENT	KEY DATES
RFP issued	May 19, 2011
Deadline for questions to submitted to: <a href="mailto:solicitations@jud.ca.gov">solicitations@jud.ca.gov</a>	1:00 pm Pacific Time, May 25, 2011
Posting of Answers To Questions (estimate only)	May 27, 2011
Latest date and time proposal may be submitted	1:00 pm Pacific Time, June 7, 2011
Notice of Intent to Award (estimate only)	June 10, 2011

## **3. PURPOSE OF THIS RFP**

- 3.1. The purpose of this RFP is to identify an accredited university with a school of law and/or school of public policy / public administration with which the AOC may enter into a master agreement and work orders. The master agreement would be for a single year with two optional, consecutive one-year terms to collaborate with the AOC in the collection and analysis of data on court operations and to identify and pursue grant opportunities of interest to the judicial branch. The State does not guarantee that the contractor will receive a specific volume of

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work, a specific total Work Order Amount, or a specific order value under the awarded Master Agreement. Additionally, there will be no limit on the number of Work Orders the State may issue under the Master Agreement, nor will there be any specific limitation on the quantity, minimum and/or maximum value of individual Work Orders.

- 3.2. Specific components of the collaboration between the university and the AOC under the master agreement may include:
  - 3.2.1.1. Collaboration with university faculty, student and associated staff who have subject-matter expertise in areas of interest including, but not limited to, complex civil litigation, community corrections, procedural fairness, workload and performance measurement, and jury trials;
  - 3.2.1.2. Collaboration with university faculty and associated staff to develop curriculum related to empirical legal studies in conjunction with data collection project on various subject matters;
  - 3.2.1.3. Incorporation of students into applied research projects in the courts;
  - 3.2.1.4. Collaboration with university faculty, students and associated staff in seeking grants to collect data and/or conduct research on topics of interest to the judicial branch.
- 3.3. AOC staff will work directly with the Judicial Council, its advisory committees and working groups, and divisions of the AOC to identify areas of court operations or branch-wide policy issues in need of data collection and/or research and analysis. AOC staff will also work directly with the trial courts to determine availability and capacity for their participation in data collection and research projects.
- 3.4. There are a total of 58 individual superior courts within California and each individual court's participation in data collection and research is strictly voluntary. At this time, the AOC has identified case numbers for class-action cases filed in thirteen superior courts in southern, central and northern California and may seek to develop the first work order under this master agreement to finalize the updating of its class-action data set. The AOC is also in the process of establishing a data collection protocol to evaluate the use of Expedited Jury Trials in civil cases.
- 3.5. At this time, the fund allocation for this project is anticipated to be between \$60,000.00 and \$180,000.00

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#### **4. RFP ATTACHMENTS**

Included as part of this RFP are the following attachments:

- 4.1. Attachment 1, Administrative Rules Governing Request for Proposals. Proposers shall follow the rules, set forth in Attachment 1, in the preparation and submittal of their proposals.
- 4.2. Attachment 2, Master Agreement Terms and Conditions. The successful firm will be signing a State of California Standard Agreement form and will include terms appropriate for this project. Terms and conditions for the requested services are attached as Attachment 2, Master Agreement Terms and Conditions, which consists of Exhibits A through F.
- 4.3. Attachment 3, Proposer's Acceptance of the RFP's Contract Terms. Proposers must either indicate acceptance of Contract Terms, as set forth in Attachment 2a, or clearly identify exceptions. If exceptions are identified, proposers must also submit (i) a red-lined version of Attachment 2, that clearly tracks proposed changes to this attachment, and (ii) written documentation to substantiate each such proposed change.
- 4.4. Attachment 4, Payee Data Record Form. The AOC is required to obtain and keep on file, a completed Payee Data Record for each proposer prior to entering into a contract with that proposer. Therefore, proposer's proposal must include a completed and signed Payee Data Record Form, set forth as Attachment 4.

#### **5. SCOPE OF SERVICES**

The successful proposer will enter into a master agreement substantially the same as Attachment 2, Master Agreement Terms and Conditions, which, when specified in a Work Order, may include include services for collecting data, conducting research and / or grant seeking in a manner consistent with accepted standards of policy and social science research, and that it meets the needs of the Judicial Council of California, and the courts.

## 6. **SPECIFICS OF A RESPONSIVE PROPOSAL**

The proposal must include and be organized into the following major sections:

### 6.1. Faculty experience:

#### 6.1.1. The AOC's areas of interest are:

- complex civil litigation,
- community corrections,
- procedural fairness,
- workload and performance measurement, and
- jury trials.

In top-down order of experience (in your opinion), name your top two faculty for each area of interest who you would recommend and who you believe would be available to provide services to the AOC as a subject matter expert. You may name more than two faculty, also in top-down order of experience to demonstrate your institution's depth of resources in each area of interest. To substantiate your recommendations, provide supporting information including years of experience, publications, and any distinguished recognitions. You may include hyperlinks or attach PDFs to support your recommendation. Also please indicate which of the faculty would be considered the principal subject-matter expert in each area and which faculty would replace the principal subject-matter expert if the principal subject-matter expert separated from the university, for any reason during the term of the contract.

Preference is given to those proposers whose subject matter experts in an area of interest have: i) more years of direct experience, ii) higher number of prestigious publications, and iii) higher number of distinguished recognitions, and whose institution has a greater depth of resources in each area of interest.

- 6.1.2. Identify a lead faculty who would serve as the point person for:
  - 6.1.2.1. coordinating the relationship between the university and the AOC
  - 6.1.2.2. identifying subject-matter experts on faculty as candidates to participate in specific work orders under the master agreement.
- 6.1.3. Identify the specific institutional affiliation of the point person – whether in a research center, university department, or affiliated school at the university.

6.2. Institutional Capacity:

- 6.2.1. Provide a statement describing your institution’s accreditation.
- 6.2.2. Description of the university’s research center, department, or school where work under the master agreement would be based. Include the exact physical address.
- 6.2.3. Description of the university’s experience in the field of applied legal and/or policy research, especially experience related to working with the judiciary, legislature, or executive branches.
- 6.2.4. Description of the university’s capability to recruit students for research projects (e.g., does the university have a career center? If so, how many students use the career center and how does the career center notify students of employment opportunities and manage human resource and payment functions for students employed by the university?);
- 6.2.5. The AOC will not make any prepayments for work or allowable expenses. Describe the university’s capability to compensate faculty, staff, and students for work performed and provide reimbursement for expenses incurred until such time payment is received from the State.

6.3. Cost Proposal:

- 6.3.1. Provide the fully burdened hourly billing rates the university will pay each participant in their respective project team role for the **initial contract term** (approximately 1 year), including the following project team roles in the following format:

Project Team Role	Fully Burdened	Overhead %	Participant’s Gross Take
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	Hourly Billing Rate	(See <sup>1</sup> Below)	Home Pay % (See <sup>2</sup> Below)
Project Manager			
Person(s) overseeing data collection			
Person(s) participating in other project activities			
Data Analysts/Collectors (Students)			
Affiliated subject-matter experts			
<i>Add Additional Roles if necessary</i>			

<sup>1</sup> Overhead % is the portion of the fully burdened hourly rate that the university may charge for administration of human resources, payroll services for hiring students, faculty, and/or adjunct staff to work on research projects, administration of payment & reimbursement to students & faculty and administration of grants.

<sup>2</sup> Participant's Gross Take Home Pay % is the portion of the fully burdened hourly rate that the participant is paid by the university for his/her service.

6.3.2. Provide the fully burdened hourly billing rates the university will pay each participant in their respective project team role for the **first option term** in the same manner as 6.3.1.

6.3.3. Provide the fully burdened hourly billing rates the university will pay each participant in their respective project team role for the **second option term** in the same manner as 6.3.1.

6.4. Contract Exceptions Proposed:

6.4.1. Sign and submit Attachment 3, Proposer's Acceptance of the RFP's Contract Terms. Proposed exceptions to the terms and conditions of Attachment 2, Master Agreement are evaluated in terms of the AOC's ability to accept exceptions and the amount of the AOC's resources, both legal and non-legal, that would be required to accept or negotiate any proposed exceptions.

**7. EVALUATION OF PROPOSALS**

Proposals will be evaluated by the AOC on a 100 point scale using the criteria set forth in the table below. Proposers must clearly demonstrate how it meets the requirements of the evaluation criterion.

<b>Evaluation Category</b>	<b>Possible Points</b>	<b>Corresponding Sections of RFP:</b>
<b>Faculty experience</b>	<b>25</b>	6.1 through 6.1.3
<b>Institutional capacity</b>	<b>25</b>	6.2 through 6.2.5
<b>Reasonableness of cost projections</b>	<b>35</b>	6.3 through 6.3.2
<b>Impact of contract exceptions proposed</b>	<b>15</b>	6.4 through 6.4.1 and Attachment 3

**8. SUBMISSION OF PROPOSALS**

- 8.1. 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.
- 8.2. One (1) hard copy original and four (4) hard copy duplicates of the proposal signed by an authorized representative of the company, including name, title, address, and telephone number of one individual who is the responder’s designated representative. In addition to the hard copies, proposers must submit one (1) electronic version of the proposal on CD.
- 8.3. Proposals must be delivered to the individual listed in the Submission of Proposals section of the coversheet to this RFP by the due date.
- 8.4. Only written responses received by the due date will be accepted. Responses should be sent by registered or certified mail or by hand delivery.



**9. ADDITIONAL REQUIREMENTS**

- 9.1. A proposer may be required to clarify aspect of its submittal by responding in writing to written questions asked by the AOC. Such questions will be delivered to the proposer by e-mail and the proposer must submit its response within a reasonable time solely determined by the AOC. If the AOC requests written clarification, proposers may only provide the requested clarification. Proposers will not be permitted to modify its proposal.
- 9.2. A proposer may be required to participate in one or more interviews to clarify aspects of their submittal. If conducted, interviews will likely be conducted by telephone conference call. However, if conducted in person at the AOC in San Francisco, all expenses shall be borne by the proposer. The AOC will notify prospective service providers regarding the interview arrangements.

**10. CONFIDENTIAL OR PROPRIETARY INFORMATION**

- 10.1. The Administrative Office of the Courts is bound by California Rule of Court 10.500 (see: <http://www.courts.ca.gov/rules.htm>) as to disclosure of its administrative records. If the information submitted 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 pursuant to a request for public documents.
- 10.2. If the AOC does not consider such material to be exempt from disclosure under Rule 10.500, the material may be made available to the public, regardless of the notation or markings. If a proposer is unsure if its confidential and/or proprietary material meets the disclosure exemption requirements of Rule 10.500, then it should not include such information in its proposal.

*END OF FORM*