



Judicial Council of California
ADMINISTRATIVE OFFICE OF THE COURTS

EXECUTIVE OFFICE PROGRAMS DIVISION

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Chief Deputy Director

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Director, Executive Office Programs Division

Date

April 22, 2003

Action Requested

You are invited to review and respond to the
attached RFP

To

Potential Bidders

Deadline

Proposals must be received by 5 p.m. on
May 5, 2003

From

Administrative Office of the Courts,
Executive Office Programs,
Innovative and Effective Practices Unit

Contact

Lucy Smallsreed
415-865-7705 phone
415-865-4330 fax
lucy.smallsreed@jud.ca.gov

Subject

REQUEST FOR PROPOSALS
Consulting Services for Writing the Grant
Policies and Procedures Manual

1. GENERAL INFORMATION

1.1 Background on Requesting Agency

The Judicial Council (Council), chaired by the Chief Justice, 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 must adopt rules for court administration, practice, and procedure, not inconsistent with statute, and perform 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 Background on the Grant Policies and Procedures Manual Project

The AOC manages over thirty grant programs totaling over \$72,000,000 annually. These programs are a combination of pass-through grants, outgoing grants originating with the AOC, and incoming grants (primarily federal) to the AOC as grantee. Most of the AOC grants are outgoing grants made to superior courts throughout California. Because of the complexity of funding sources and procedures for both internal and external grants, there is a need for a comprehensive manual to assist the AOC and the courts with their grants management responsibilities.

2. PURPOSE

The AOC seeks to identify and retain qualified service providers to write the comprehensive Grant Policies and Procedures Manual. This RFP is the means for prospective service providers to submit their qualifications to the AOC and request selection as a consultant.

3. PROPOSED CONSULTANT SERVICES

3.1 The proposed consultant services identified below are expected to be performed by the consultant between May 12-August 31, 2003, for an amount not to exceed \$25,000.

3.2 The consultant will be asked to:

3.2.1 Identify and review existing grants administration manuals used by other state agencies or court systems.

3.2.2 Meet with AOC and court stakeholders to discuss content and materials for the manual.

3.2.3 Develop a written work plan, time line and list of deliverables for the project.

3.2.4 Draft and submit materials to the project manager at agreed upon intervals.

3.3 The AOC will provide the consultant with the following project assistance:

3.3.1 A draft Table of Contents for the manual (Attachment B).

3.3.2 Access to AOC and court staff for meetings and project communications.

3.3.3 On-site meeting space.

3.3.4 Desired import of individual policies and procedures.

4. SPECIFICS OF RESPONSE

4.1 Bidder Information

4.1.1 Contact Information

Provide consultant name, address, telephone number(s), e-mail address, and social security or tax identification number.

4.1.2 Project Staff

Provide resumes describing the background and experience of key staff, as well as each individual's ability and experience in conducting the proposed activities.

4.1.3 Experience

Provide a list and description of projects completed during the past five years that were similar in scope, complexity, content, and time frames to that identified in this RFP. Documentation of these projects should include: 1) project title; 2) description of work performed; 3) dates for work performed; 4) organization for whom the work was performed; 5) name, address, title and telephone number of each organization's project manager; and 6) copies of the final report for at least two of the listed projects.

4.1.4 References

Names, addresses, and telephone numbers of a minimum of five (5) clients for whom the consultant has provided similar services. The AOC may check references listed by the consultant.

4.2 Proposal Format

4.2.1 Format

All proposals must be submitted with an original and 2 copies, on standard white paper, 8 ½ inches by 11 inches in size, typed, font size 12 or greater, double-spaced, one-inch margins, with each page clearly and consecutively numbered.

4.2.2 Signature

The proposal must be submitted in the legal entity name of the Bidder. The Bidder, a corporate officer, or an authorized agent of the Bidder MUST sign the proposal. Signature Facsimile Stamps will not be accepted.

4.2.3 Table of Contents

A Table of Contents **MUST** be provided which identifies all major sections of the proposal by page number. All exhibits and attachments must also be identified and referenced by page number.

Responses should provide straightforward, concise information that will satisfy the requirements of the solicitation document. Expensive bindings, color displays, and the like are not necessary or desired. Emphasis should be placed on conformity to the State's instructions, responsiveness to the solicitation document requirements, and completeness and clarity of content.

4.2.4 Timelines

Proposals should include an overall plan with time estimates for completion of all work required.

4.2.5 Project Approach and Methodology

Provide a detailed workplan outlining major project tasks/segments and approach, including methods to be used to complete each task.

Describe how you will work with the Project Director to become acquainted with the AOC's various grant programs, solicit input regarding content of the grant manual and write a draft manual and solicit revisions from AOC and selected trial court staff, and assure overall quality control.

Describe the methodology you will use to complete and address each of the tasks and challenges outlined in section 3.0.

Describe how you will work with project staff to meet project objectives.

Describe support/resources you will need from the Administrative Office of the Courts.

4.2.6 Cost Proposal

Submit a detailed line item budget showing total cost of services to be performed. Fully explain and justify all budget items in a narrative entitled "Budget Justification" which is to include at a minimum:

- Total number of hours required to complete this project
- Estimated number of hours to be spent on each RFP task/segment
- Hourly rate for consulting fees
- Operating and Expenses costs including all incidentals

- Detailed travel costs for any trips that must be made to the AOC offices in San Francisco including expected airfares (if applicable), car mileage, local transportation costs, lodging and meals.

The total cost for consultant services will not exceed \$ 25,000 inclusive of personnel, materials, computer support, travel, lodging, per diem, and overhead rates. The method of payment to the contractor will be cost reimbursement.

5. RIGHTS

The State reserves the right to reject any and all proposals, as well as the right to conduct or not conduct a similar proposal in the future. This RFP is in no way an agreement, obligation, or contract and in no way is the State responsible for the cost of response preparation. One copy of a submitted proposal will be retained for official files and become a public record. The consultant selected will be required to sign a completed State of California Standard Agreement Form. Special terms and conditions, as appropriate, will be included in the agreement.

Only written responses will be accepted. Oral and/or facsimile responses will not be accepted. Responses should be sent by registered mail or by hand delivery.

6. PROJECT MANAGEMENT

The Project Director will be:
Lucy Smallsreed
Grants Program Administrator
Executive Office Programs Division
Administrative Office of the Courts
455 Golden Gate Avenue, 6th Floor
San Francisco, CA 94102-3660
Telephone: 415-865-7705
E-mail:lucy.smallsreed@jud.ca.gov

7. EVALUATION OF PROPOSAL

7.1 The proposal will be evaluated by AOC staff according to the following criteria:

- a. Quality of work plan submitted
- b. Experience on similar assignments
- c. Credentials of staff to be assigned to the project
- d. Ability to meet timing requirements to complete the project
- e. Reasonableness of cost projections

8.0 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.

9.0 ATTACHMENTS

- 9.1 Attachment A, Administrative Rules Governing Requests for Proposals
- 9.2 Attachment B, Grant Policies and Procedures Manual, Proposed Table of Contents

9.1 Attachment A.

**JUDICIAL COUNCIL OF CALIFORNIA
ADMINISTRATIVE OFFICE OF THE COURTS**

ADMINISTRATIVE RULES GOVERNING REQUESTS FOR PROPOSALS

A. General

1. This solicitation document, the evaluation of proposals, and the award of any contract shall conform with current competitive bidding procedures as they relate to the procurement of goods and services. A vendor's proposal is an irrevocable offer for 30 days following the deadline for its submission.
2. A nondiscrimination clause will be included in any contract that ensues from this solicitation document.
3. In addition to explaining the State's requirements, the solicitation document includes instructions that prescribe the format and content of proposals.

B. Errors in the solicitation document

1. If a vendor submitting a proposal discovers any ambiguity, conflict, discrepancy, omission, or other error in this solicitation document, the vendor shall immediately provide the State with written notice of the problem and request that the solicitation document be clarified or modified. Without disclosing the source of the request, the State may modify the solicitation document prior to the date fixed for submission of proposals by issuing an addendum to all vendors to whom the solicitation document was sent.
2. If prior to the date fixed for submission of proposals a vendor submitting a proposal knows of or should have known of an error in the solicitation document but fails to notify the State of the error, the vendor shall bid at its own risk, and if the vendor is awarded the contract, it shall not be entitled to additional compensation or time by reason of the error or its later correction.

C. Questions regarding the solicitation document

1. 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 State 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 State does not concur regarding the proprietary nature of the question, the question will not be answered in this manner and the vendor will be notified.

2. If a vendor submitting a proposal believes that one or more of the solicitation document's requirements is onerous or unfair, or that it unnecessarily precludes less costly or alternative solutions, the vendor may submit a written request that the solicitation document be changed. The request must set forth the recommended change and vendor's reasons for proposing the change. Any such request must be submitted to Grant Walker at the Administrative Office of the Courts by 5 p.m. on April 28, 2003.

D. Addenda

1. The State may modify the solicitation document prior to the date fixed for submission of proposals by faxing an addendum to the vendors to whom the solicitation document was sent. If any vendor determines that an addendum unnecessarily restricts its ability to bid, it must notify Grant Walker at the Administrative Office of the Courts no later than one day following the receipt of the addendum.

E. Withdrawal and resubmission/modification of proposals

1. A vendor may withdraw its proposal at any time prior to the deadline for submitting proposals by notifying the State in writing of its withdrawal. The notice must be signed by the vendor. The vendor may thereafter submit a new or modified proposal, provided that it is received at the Administrative Office of the Courts no later than 5 p.m., May 5, 2003. Modification offered in any other manner, oral or written, will not be considered. Proposals cannot be changed or withdrawn after 5 p.m. May 5, 2003.

F. Evaluation process

1. An evaluation team will review in detail all proposals that are received to determine the extent to which they comply with solicitation document requirements.
2. If a proposal fails to meet a material solicitation document requirement, the proposal may be rejected. A deviation is material to the extent that a response is not in substantial accord with solicitation document requirements. Material deviations cannot be waived. Immaterial deviations may cause a bid to be rejected.
3. Proposals that contain false or misleading statements may be rejected if in the State's opinion the information was intended to mislead the state regarding a requirement of the solicitation document.

4. Cost sheets will be checked only if a proposal is determined to be otherwise qualified. All figures entered on the cost sheets must be clearly legible.
5. During the evaluation process, the State may require a vendor's representative to answer questions with regard to the vendor's proposal. Failure of a vendor to demonstrate that the claims made in its proposal are in fact true may be sufficient cause for deeming a proposal non-responsive.

G. Rejection of bids

1. The State may reject any or all proposals and may or may not waive an immaterial deviation or defect in a bid. The State's waiver of an immaterial deviation or defect shall in no way modify the solicitation document or excuse a vendor from full compliance with solicitation document specifications. The AOC reserves the right to accept or reject any or all of the items in the proposal, to award the contract in whole or in part and/or negotiate any or all items with individual vendors if it is deemed in the AOC's best interest. Moreover, the AOC reserves the right to make no selection if proposals are deemed to be outside the fiscal constraint or against the best interest of the government.

H. Award of contract

1. Award of contract, if made, will be in accordance with the solicitation document to a responsible vendor submitting a proposal compliant with all the requirements of the solicitation document and any addenda thereto, except for such immaterial defects as may be waived by the State.
2. The State reserves the right to determine the suitability of proposals for contracts on the basis of a proposal's meeting administrative requirements, technical requirements, its assessment of the quality of service and performance of items proposed, and cost.

I. Decision

1. Questions regarding the State's award of any business on the basis of proposals submitted in response to this solicitation document, or on any related matter, should be addressed to Grant Walker, Administrative Office of the Courts, 455 Golden Gate Ave., San Francisco, CA 94102.

J. Execution of contracts

1. The State will make a reasonable effort to execute any contract based on this solicitation document within 30 days of selecting a proposal that best meets its requirements.

2. A vendor submitting a proposal must be prepared to use a standard state contract form rather than its own contract form.

K. Protest procedure

1. The Administrative Office of the Courts intends to be completely open and fair to all vendors in selecting the best possible system within budgetary and other constraints described in the solicitation document. In applying evaluation criteria and making the selection, members of the evaluation team will exercise their best judgment.
2. A vendor submitting a proposal may protest the award if it meets all the following conditions:
 - a. The vendor has submitted a proposal that it believes to be responsive to the solicitation document;
 - b. The vendor believes that its proposal meets the state's administrative requirements and technical requirements, proposes items of proven quality and performance, and offers a competitive cost to the State; and
 - c. The vendor believes that the State has incorrectly selected another vendor submitting a proposal for an award.
3. A vendor submitting a proposal who is qualified to protest should contact the Contract Officer at the Administrative Office of the Courts at the address given below.

Contracts Officer
Administrative Office of the Courts
455 Golden Gate Avenue
San Francisco, CA 94102-3660

4. If the Contract Officer is unable to resolve the protest to the vendor's satisfaction, the vendor should file a written protest within five working days of the contract award notification. The written protest must state the facts surrounding the issue and the reasons the vendor believes the award to be invalid. The protest must be sent by certified or registered mail or delivered personally to:

Grant Walker
Business Services Manager
Administrative Office of the Courts
455 Golden Gate Avenue
San Francisco, CA 94102-3660

A receipt should be requested for hand-delivered material.

L. News releases

1. News releases pertaining to the award of a contract may not be made without prior written approval of the Director of the Administrative Office of the Courts.

M. Disposition of materials

1. All materials submitted in response to this solicitation document will become the property of the State of California and will be returned only at the State's option and at the expense of the vendor submitting the proposal. One copy of a submitted proposal will be retained for official files and become a public record. However, any confidential material submitted by a vendor that was clearly marked as such will be returned upon request.

N. Payment

1. Payment terms will be specified in any agreement that may ensue as a result of this solicitation document.
2. **THE STATE DOES NOT MAKE ANY ADVANCE PAYMENT FOR SERVICES.** Payment is normally made based upon completion of tasks as provide in the agreement between the State and the selected vendor. The State may withhold ten percent of each invoice until receipt of the final product. The amount of the withhold may depend upon the length of the project and the payment schedule provide in the agreement between the State and the selected vendor.

9.2 Attachment B.

GRANT POLICIES & PROCEDURES MANUAL PROPOSED TABLE OF CONTENTS

Part I. Policies and Procedures for the Administrative Office of the Courts

- A. Grants In (Grants to the AOC from external sources)
 - 1. Identifying needs and funding opportunities
 - 2. Researching potential funders/ RFPs
 - 3. Decision to apply for a grant
 - 4. Application preparation, approvals, and signatures
 - 5. Obtaining necessary spending authority
 - 6. Grant contract procedures
 - 7. Communicating the grant award
 - 8. Procurement policies applicable to grants
 - 9. Grant management responsibilities (including federal requirements)
 - a. Program management
 - b. Fiscal management
 - c. Evaluation
 - d. Reporting
 - e. Record keeping
 - 10. Planning for grant termination
 - 11. Grant close-out

- B. Grants Out (Grants from the AOC to the courts and related nonprofits)
 - 1. Types of grants
 - a. Pass-through grant programs (0250)
 - b. Grant programs funded under Judiciary Local Assistance (0250)
 - c. Grant programs funded under State Trial Court Funding (0450)
 - 2. Budgeting for grant programs
 - 3. Conducting the Request for Proposal (RFP)
 - a. Naming grant programs
 - b. RFP/application provisions and templates
 - c. RFP Announcement procedures
 - d. Review of incoming applications (review panels, scoring/rating systems, award approvals)
 - e. Announcing/publicizing AOC awards to the courts; to other grantees

 - 4. Managing Outgoing Grants
 - a. Grant contract and MOU language/provisions required/templates/procedures
 - b. Special policies/requirements related to pass-through grants
 - c. Grant amendment procedures/templates

- d. Grant payment procedures and controls
- e. Monitoring and site visits
- f. Record keeping/grant files; public information policies
- g. Final reports: requirements/templates/penalties
- h. Ownership of grant products
- i. Archiving grant products

Part II. Policies and Procedures for the Trial Courts

- A. Grant Application Policies for the Courts
 - 1. Responding to requests for proposals (RFP's)
 - 2. Authority to sign applications and grant agreements
 - 3. Authority to accept gifts
 - 4. Guidelines for seeking private grants [completed]
 - 5. Announcing/publicizing grant awards

- B. Grant Management Policies for the Courts
 - 1. Procurement policies
 - 2. Encumbrance/spending policies for grant funds
 - 3. Grant implementation
 - 4. Record keeping
 - 5. Grant accounting
 - 6. Grant reporting [refer to existing Finance Policies & Procedures manual]
 - 7. Grant audits
 - 8. Submission and ownership of grant products
 - 9. Ownership of tangibles purchased with grant funds
 - 10. Evaluation of outcomes/results
 - 11. Closing out a grant