RFP Number: HRSO-04-13-SS



REQUEST FOR PROPOSALS

ADMINISTRATIVE OFFICE OF THE COURTS (AOC)

REGARDING:

2013 Classification and Compensation Study, RFP Number HRSO-04-13-SS

PROPOSALS DUE:

May 17, 2013 NO LATER THAN 3:00 P.M. PACIFIC TIME

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1.0 BACKGROUND INFORMATION

1.1 Background

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.

1.2 AOC Classification and Compensation Study

The AOC has undergone a significant downsizing and restructuring, and has not conducted an in-depth, agency-wide review of the classification and compensation structure in recent years. The AOC Human Resources Services Office (HRSO) provides direct classification and compensation support for employees of the AOC, as well as employees of the California Supreme Court and the Courts of Appeal, and, upon request, the Superior Courts of California. This project is a comprehensive study of only AOC positions, classifications, and compensation. The Chief Justice sets compensation rates for all AOC employees per Cal. Const., Art VI, §6; Gov. Code, §19825(b). Employees of the AOC are not represented by unions.

Currently, the AOC has 21 offices spread over four divisions. There are approximately 725 incumbents in 183 job classifications across various functional areas such as legal, finance, administration, education, information systems, court services, human resources, governmental affairs, and security. The AOC seeks to consolidate classifications no longer deemed essential in meeting the business needs of the organization with the goal of streamlining the classification system. The AOC's salary listing, including links to classification specifications, is available through the following link: http://www.courts.ca.gov/policyadmin-aoc.htm.

2.0 DESCRIPTION OF SERVICES AND DELIVERABLES

2.1 The AOC seeks the services of a Contractor with expertise and experience in the public sector to conduct and/or assist in conducting a comprehensive, agency-wide classification, Fair Labor Standards Act (FLSA), and compensation study.

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2.2 Proposers must bid on all three major components of the study outlined below and also must indicate the cost for each component individually. The AOC may award only certain components of this Request for Proposals (RFP) as a contract to a single vendor. For example, there is a possibility that a Contractor will conduct the classification and compensation study of manager classifications and above (component 1), and the AOC will conduct the classification and compensation study of supervisor classifications and below (component 2). In this scenario, the Contractor will also provide any necessary training to HRSO staff on the Contractor's job evaluation methodology used to conduct the study of manager classifications and above. Additionally, the Contractor will provide guidance, oversight, and validation of the application of that methodology to the classifications studied by AOC staff. The Contractor will also review the compensation structure and make compensation recommendations for all classifications in the AOC (component 3).

- 2.3 The study consists of three major components. The Contractor must provide a timeline for each component listed below:
 - **Component 1:** Classification and compensation study of manager classifications and above (approximately 80 incumbents in 16 classifications).
 - **Component 2:** Classification, FLSA, and compensation study of supervisor classifications and below (approximately 645 incumbents in 167 classifications).
 - Component 3: Training, guidance, oversight, and validation of HRSO staff's application of the Contractor's job evaluation methodology; and compensation recommendations for all classifications in the AOC. Note that this component will be awarded only in the event that the AOC conducts the study of supervisor classifications and below.
- 2.4 **Component 1:** Classification and compensation study of manager classifications and above (approximately 80 incumbents in 16 classifications).

Currently, the AOC has a multitude of supervisory classifications in different functional areas with varying salary ranges. However, with a few exceptions, there is one generic classification and salary range for manager as well as most of the classifications above that level such as senior manager, assistant director, and director. This structural divide causes widely varying promotional increase amounts when incumbents are promoted from different supervisory classifications to manager.

2.4.1 Communication

a) The Contractor will facilitate a strategic planning meeting with HRSO and/or the Executive Office to discuss data collection methods, project plan, timeline, and deadlines.

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b) The Contractor will provide bi-weekly status updates to the AOC Project Manager (Project Manager) via email, conference call, or in person as necessary.

2.4.2 Job Analysis

- a) The Contractor will collect a written position description questionnaire from each incumbent, which outlines the essential duties performed and the percent of time allocated to each of those duties. The questionnaires will encompass all information required to:
 - i. Comply with the Americans with Disabilities Act (ADA); and
 - ii. Make appropriate classification and compensation recommendations.
- b) The Contractor will collect written feedback on each position description questionnaire from the incumbent's supervisor.
- c) The Contractor will conduct up to 80 follow-up interviews as necessary to clarify the information collected.
- d) The Contractor will analyze the information collected in the questionnaires, supervisor's feedback, and interviews to determine whether or not each incumbent is appropriately classified. The analysis will identify specific duties found to be within or outside the scope of the assigned classification.
- e) The Contractor will determine whether the duties performed by each incumbent are within the scope of the assigned classification.
- f) The Contractor will make a recommendation as to whether the manager classification should be split into more than one classification to reflect different functional areas and levels of responsibility.
- g) The Contractor will review all existing AOC classifications and recommend a classification structure that aligns with current business needs. This will include the amendment of existing classifications and/or creating new classifications as necessary.

2.4.3 Report of Findings - Classification

- a) The Contractor will prepare a draft report of all classification findings and recommendations.
- b) The Contractor will facilitate a meeting with HRSO and/or the Executive Office to discuss the classification findings.

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2.4.4 Job Documentation

a) The Contractor will develop a position-specific job description for every position reviewed (approximately 80).

b) The Contractor will amend and/or draft new classification specifications as necessary (see 2.4.2 (f) and (g) above).

2.4.5 Job Evaluation

- a) The Contractor will facilitate a meeting with HRSO and/or the Executive Office to recommend a job evaluation methodology appropriate for the AOC's business needs.
- b) The Contractor will utilize the agreed upon methodology to determine the relative internal value of each classification, so that a fair and equitable compensation structure can be established.
- c) The Contractor will provide HRSO staff with training and written materials, which explain the application of the Contractor's job evaluation methodology.

2.4.6 Internal Hierarchy

- a) The Contractor will analyze the existing internal hierarchy and identify problem areas.
- b) The Contractor will propose a revised internal hierarchy and recommend methods for implementation.

2.4.7 Compensation Review

- a) The Contractor will review and analyze the current compensation structure and identify problem areas.
- b) The Contractor will recommend appropriate classifications for the AOC to utilize as external benchmarks.
- c) The Contractor will recommend appropriate comparator organizations for the AOC.
- d) The Contractor will conduct a customized compensation survey of the selected comparator organizations.
- e) The Contractor will analyze compensation survey data currently available to the Contractor and the AOC.

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f) The Contractor will complete an internal salary relationship analysis, including the development of appropriate internal relationship guidelines.

- g) The Contractor will recommend a salary range for every classification reviewed and any newly created classifications, including recommendations on appropriate range spread and overlap.
- 2.4.8 Report of Findings Component 1
 - a) The Contractor will prepare a draft report of all compensation findings and recommendations.
 - b) The Contractor will facilitate a meeting with HRSO and/or the Executive Office to discuss the compensation findings.
 - c) The Contractor will prepare a final report to include all findings and recommendations for component 1.
- 2.5 **Component 2:** Classification, FLSA, and compensation study of supervisor classifications and below (approximately 645 incumbents in 167 classifications).

2.5.1 Communication

- a) The Contractor will facilitate a strategic planning meeting with HRSO and/or the Executive Office to discuss data collection methods, project plan, timeline, and deadlines.
- b) The Contractor will provide bi-weekly status updates to the Project Manager via email, conference call, or in-person as necessary.

2.5.2 Job Analysis

- a) The Contractor will collect a written position description questionnaire from each incumbent, which outlines the essential duties performed and the percent of time allocated to each of those duties. The questionnaires will encompass all information required to:
 - i. Make a legally defensible FLSA determination for each position;
 - ii. Comply with the Americans with Disabilities Act (ADA); and
 - iii. Make appropriate classification and compensation recommendations.
- b) The Contractor will collect written feedback on each position description questionnaire from the incumbent's supervisor.

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c) The Contractor will conduct up to 160 follow-up interviews and/or desk audits as necessary to clarify the information collected.

- d) The Contractor will analyze the information collected in the questionnaires, supervisor's feedback, and interviews to determine whether or not each incumbent is appropriately classified. The analysis will identify the specific duties found to be within or outside the scope of the assigned classification.
- e) The Contractor will determine whether the duties performed by each incumbent are within the scope of the assigned classification.
- f) The Contractor will identify appropriate career paths for related classifications within the structure.
- g) The Contractor will review all existing AOC classifications and recommend a classification structure that aligns with current business needs. This will include the amendment of existing classifications, and/or creating new classifications as necessary.

2.5.3 Report of Findings - Classification

- a) The Contractor will prepare a draft report of all classification findings and recommendations.
- b) The Contractor will facilitate a meeting with HRSO and/or the Executive Office to discuss the classification findings.

2.5.4 FLSA Review

- a) The Contractor will evaluate the collected information and make a recommendation for the appropriate FLSA designation for each position.
- b) The Contractor will provide written documentation in support of each of the recommendations to HRSO, for final approval by the AOC Legal Services Office (LSO).
- c) The Contractor will facilitate a meeting with HRSO, the LSO and the Executive Office to discuss the FLSA findings.

2.5.5 Job Documentation

- a) The Contractor will develop a position-specific job description for every position reviewed (approximately 645).
- b) The Contractor will amend and/or draft up to 167 new classification specifications as necessary (see 2.5.2 (g) above).

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2.5.6 Job Evaluation

a) The Contractor will facilitate a meeting with HRSO and/or the Executive Office to recommend a job evaluation methodology appropriate for the AOC's business needs.

- b) The Contractor will utilize the agreed upon methodology to determine the relative internal value of each classification, so that a fair and equitable compensation structure can be established.
- c) The Contractor will provide HRSO staff with training and written materials, which explain the application of the Contractor's job evaluation methodology.

2.5.7 Internal Hierarchy

- a) The Contractor will analyze the existing internal hierarchy and identify problem areas.
- b) The Contractor will propose a revised internal hierarchy and recommend methods for implementation.

2.5.8 Compensation Review

- a) The Contractor will review and analyze the current compensation structure and identify problem areas.
- b) The Contractor will recommend appropriate classifications for the AOC to utilize as external benchmarks.
- c) The Contractor will recommend appropriate comparator organizations for the AOC.
- d) The Contractor will conduct a customized compensation survey of the selected comparator organizations.
- e) The Contractor will analyze compensation survey data currently available to the Contractor and the AOC.
- f) The Contractor will complete an internal salary relationship analysis, including the development of appropriate internal relationship guidelines.
- g) The Contractor will recommend a salary range for every classification reviewed and any newly created classifications, including recommendations on appropriate range spread and overlap.

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2.5.9 Report of Findings – Component 2

- a) The Contractor will prepare a draft report of all compensation findings and recommendations.
- b) The Contractor will facilitate a meeting with HRSO and/or the Executive Office to discuss the compensation findings.
- c) The Contractor will prepare a final report to include all findings and recommendations for component 2.

2.5.10 Appeals Process

- a) The Contractor will propose a management review/appeal process to find resolution to classification-related disputes.
- b) The Contractor will provide an evaluative written response for each appeal, up to a maximum of 50 appeals.
- 2.6 Component 3: This component assumes that the Contractor will conduct the study of manager classifications and above (component 1) and that the AOC will conduct the study of supervisor classifications and below (component 2). The Contractor will provide training, guidance, oversight, and validation of HRSO staff's application of the Contractor's job evaluation methodology; and make compensation recommendations for all classifications in the AOC.

2.6.1 Communication

a) The Contractor will facilitate a strategic planning meeting with HRSO and/or the Executive Office to discuss project plan, timeline and deadlines.

2.6.2 Training, guidance, oversight, and validation

- a) The Contractor will provide training, guidance and oversight to HRSO staff on the Contractor's job evaluation methodology for the study of manager classifications and above so that the AOC may utilize the same methodology for the study of supervisor classifications and below.
- b) The Contractor will review the analysis conducted by HRSO staff on supervisor classifications and below to validate the consistent application of the Contractor's job evaluation methodology.

2.6.3 Report of Findings - Compensation

a. The Contractor will prepare a report with recommendations on salary ranges for all classifications in the AOC.

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b) The Contractor will facilitate a meeting with HRSO and/or the Executive Office to discuss the findings.

c) The Contractor will prepare a final report to include all findings and recommendations for component 3.

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	April 5, 2013
Deadline for questions to solicitations@jud.ca.gov	April 19, 2013 at 3:00 p.m.
Questions and answers posted	May 3, 2013
Latest date and time proposal may be submitted	May 17, 2013 at 3:00 p.m.
Evaluation of proposals (estimate only)	May 17, 2013 – July 30, 2013
Oral Presentations	July 31, 2013 – August 9, 2013
Notice of Intent to Award (estimate only)	August 23, 2013
Negotiations and execution of contract (estimate only)	August 26, 2013
Notice of Award (estimate only)	September 9, 2013
Contract start date (estimate only)	No Later Than September 16, 2013
Contract end date (estimate only)	September 15, 2014

4.0 RFP ATTACHMENTS

The following attachments are included as part of this RFP:

ATTACHMENT	DESCRIPTION
Attachment 1:	These rules govern this solicitation.
Administrative Rules	
Governing RFPs	
(Non-IT Services)	
Attachment 2: AOC	If selected, the person or entity submitting a proposal (the
Standard Terms and	"Proposer") must sign the AOC Standard Agreement Terms and
Conditions	Conditions in substantially the form provided.

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Attachment 3: Proposer's Acceptance of Terms and Conditions	On this form, if exceptions are identified, proposers must submit (i) a red-lined version of Attachment 2 – Standard Agreement Terms and Conditions that clearly track proposed changes to this attachment, (ii) written documentation to substantiate each such proposed change and (iii) written explanation to indicate how each proposed change will benefit the AOC.
	Note: A material exception to a Minimum Term may render
	a proposal non-responsive.
Attachment 4: Payee	This form contains information the AOC requires in order to process
Data Record Form	payments.
Attachment 5: Darfur	Proposer must complete the Darfur Contracting Act Certification
Contracting Act	and submit the completed certification with its proposal.
Certification	
Attachment 6: Iran	Proposer must complete the Iran Contracting Act Certification
Contracting Act	and submit the completed certification with its proposal.
Certification	
Attachment 7:	Proposer must complete the Conflict of Interest Certification and
Conflict of Interest	submit the completed certification with its proposal.
Certification Form	
Attachment 8: Pricing	Proposer must provide the total number of billable hours by task
Form	and cost by task for each of the three components set forth in section 2.0.

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 five** (5) **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 five** (5) **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 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.

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c. The Proposer must submit an electronic version of the entire proposal on CD-ROM or flash drive. The files contained on the CD-ROM or flash drive should be in PDF, Word, or Excel formats.

5.3 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, **RFP #HRSO-04-13-SS** 455 Golden Gate Avenue, Sixth Floor San Francisco, CA 94102

- 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 <u>Technical Proposal</u>. 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 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.
 - d. Names, addresses, and telephone numbers of a minimum of four (4) clients for whom the Proposer has conducted similar services. The AOC may check references listed by Proposer.
 - e. Proposed method to complete the work.
 - i. Describe in detail your project plan for each component listed in Section 2.3, organized by the subcategories outlined in Sections 2.4 to 2.6.3.
 - ii. List the vendor's staffing resources necessary for each component, including hours proposed per staff, per deliverable, per component.

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iii. Provide a proposed timeline for each of the components listed in Sections 2.4 to 2.6.3, including proposed deliverable due dates for each component.

- iv. Provide information regarding any salary survey data accessible to the Contractor for the compensation study.
- v. Provide sample reports of classification, FLSA, and compensation studies of similar scope that demonstrate the Proposer's ability to perform all of the work described in Section 2.0 Description of Services and Deliverables with any proprietary information redacted.
- f. Acceptance of the Terms and Conditions.
 - 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.
 - ii. 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.
- g. Certifications, Attachments, and other requirements.
 - i. Proposer must include the following certification in its proposal:
 - Using Attachment 7, 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.
 - ii. Proposer must complete the Darfur Contracting Act Certification, attached as Attachment 5, and the Iran Contracting Act Certification, attached as Attachment 6, and submit both completed certifications with its proposal.
 - iii. 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.
 - iv. If Proposer is a corporation and the contract will be performed within California, 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.

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v. Copies of current business licenses, professional certifications, or other credentials.

- vi. Proof of financial solvency or stability (e.g., balance sheets and income statements).
- 6.2 <u>Cost Proposal</u>. The following information must be included in the cost proposal.
 - i. A detailed line item budget showing total cost of the proposed services for each component listed in Section 2.0 (Proposer must include a breakdown of all proposed costs for each deliverable in each component, even for the firm fixed priced efforts).
 - ii. A full explanation of all budget line items in a narrative entitled "Budget Justification."
 - iii. For each component in Section 2.0, a total for all work and expenses 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 one hundred twenty (120) days following the proposal due date. In the event a final contract has not been awarded within this one hundred twenty (120) day period, the 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 AOC will evaluate the proposals on a 100 point scale using the criteria set forth in the table below. The Award, if made, will be to the highest scored proposal.

CRITERION	MAXIMUM NUMBER OF POINTS
Quality of work plan submitted	
Quality of work plan submitted as it relates to meeting the objectives outlined in the Description of Services and Deliverables. RFP Section 2.0, Section 6.1	40
Ability to organize and present concepts well	

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CRITERION	MAXIMUM NUMBER OF POINTS
in the work plan that represents an in-depth understanding of public sector classification and compensation structural issues, as well as FLSA challenges in a non-unionized environment. RFP Section 2.0, Section 6.1	
Proposed method of job analysis and job evaluation as it relates to meeting the objectives outlined in the Description of Services and Deliverables. RFP Section 2.0, Section 6.1	
Proposed overall timeline and organization of assigned responsibilities. RFP Section 6.1	
Flexibility of work plan to allow for adjustments to scope and timing as issues arise during the study. RFP Section 6.1	
Demonstrated experience and ability	
Proposer has the ability to provide a dedicated project manager and assigned staff/subject matter experts who each have a minimum of 10 years of experience in classification and compensation structure, and FLSA designation determination. RFP Section 6.1	
Proposer has demonstrated experience in conducting large-scale, in-depth classification and compensation studies, preferably in the public sector. RFP Section 2.0, Section 6.1	20
Proposer has demonstrated experience in formulating legally defensible FLSA support documentation. RFP Section 2.0, Section 6.1	
Proposer has demonstrated experience in	

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CRITERION	MAXIMUM NUMBER OF POINTS
developing a comprehensive salary structure. RFP Section 2.0, Section 6.1	
Proposer has demonstrated experience in providing training to Human Resources professionals as it relates to meeting the objectives outlined in the Description of Services and Deliverables. RFP Section 2.0, Section 6.1	
Cost RFP Section 6.2	30
Acceptance to Terms and Conditions RFP Attachment 3	10
Maximum Score	100

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

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).

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 AOC will disclose the information regardless of the marking or notation seeking confidential treatment.

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Notwithstanding the above, the California Public Contract Code requires the public inspection of certain proposals. If required to do so by the Public Contract Code, the AOC may disclose all information contained in a proposal, including information marked as confidential or proprietary.

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, RFP# HRSO-04-13 455 Golden Gate Avenue, Sixth Floor San Francisco, CA 94102