



Judicial Council of California
Administrative Office of the Courts

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TO: ATTORNEYS AND LAW FIRMS

FROM: Administrative Office of the Courts
Office of the General Counsel

DATE: October 10, 2001

SUBJECT/PURPOSE OF MEMO: REQUEST FOR PROPOSALS
Legal Advice and Assistance to Trial Courts on Transactional Matters

ACTION REQUIRED: You are invited to review and respond to the attached Request for Proposals (“RFP”):
Project Title: Trial Court Transactional Assistance Program
RFP Number: OGC 10-10-01

DEADLINE: There is no single deadline to respond to this RFP. The need for services is present and ongoing, and the Administrative Office of the Courts (“AOC”) will review proposals as submitted.

SUBMISSION OF PROPOSAL: Proposals should be sent to:
Judicial Council of California
Administrative Office of the Courts
ATTN: Susan R. Goins
455 Golden Gate Avenue
San Francisco, California 94102

CONTACT FOR FURTHER INFORMATION:

NAME:	TEL:	FAX:	EMAIL:
Susan R. Goins	415-865-7990	415-865-7664	<i>susan.goins@jud.ca.gov</i>

Commencement of Performance: Attorneys and law firms (“transactional service providers” or “service providers”) may perform services after the AOC approves the service provider’s proposal, the parties enter into an agreement, and the service provider is assigned to a specific matter.

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 AOC is the staff agency for the council and assists both the council and its chair in performing their duties.

1.2 The Judicial Council Transactional Assistance Program

The Judicial Council has authorized funding to implement the Trial Court Transactional Assistance Program (“Program”) for fiscal year 2001-2002. The Program was developed to assist trial courts in obtaining competent, qualified counsel to assist trial courts with contract and procurement matters. Service providers will review and draft contracts and other procurement documents, negotiate the terms of transactions, and to provide advice about contract and procurement matters.

The AOC will select, from the responses to this Request for Proposals, transactional service providers qualified to provide assistance to trial courts. Service providers will be selected from different geographical areas of the state. The AOC will contract with service providers using a master agreement that sets out the overall scope of the services to be provided, the obligations of the parties, and the general fee agreement. Each assignment will have an additional agreement, known as a Project Description. Each Project Description will include details about the nature of the assignment the service provider will perform for the trial court, the timeline for

completion of the assignment, a budget, reporting guidelines, and practical details such as the trial court's contacts for the assignment.

The program includes the following elements:

- The AOC will negotiate the rate for each transactional service provider with which it contracts. A budget and projected completion date will be established for each assignment.
- Services provided will be related to contract and procurement matters. These may include, for example, review of contract and procurement documents presented to the trial courts, consultation with and representation of trial courts in negotiations, and provision of legal advice about contract and procurement matters.
- Service providers will enter into a master contract for the provision of services for the current fiscal year. Upon receipt of a request for assistance on a contract or procurement matter from a trial court, the AOC will identify and retain the most appropriate service provider for the particular assignment. The AOC cannot make any representations about the amount of work or number of assignments that may be given to a service provider.

2.0 PURPOSE OF THIS REQUEST FOR PROPOSALS

The AOC seeks to identify and retain qualified service providers to assist trial courts with contract and procurement matters on an as-needed basis. This RFP is the means for prospective service providers to submit their qualifications to the AOC and request selection as a service provider.

3.0 SCOPE OF SERVICES

Services may be provided to trial courts on a nonexclusive and as-needed basis, from the period from execution of the contract to the end of the fiscal year. Agreements may be renewed for additional fiscal years. The services to be provided are:

- 3.1 Review and draft contract and other procurement documents.
- 3.2 Negotiate the terms of transactions.
- 3.3 Provide legal advice about contract, procurement, and other transactional matters.

4.0 SPECIFICS OF RESPONSIVE PROPOSAL

The following information shall be included in the response:

- 4.1 Name, address, telephone and fax numbers, and social security number or tax identification number.
- 4.2 Five copies of the proposal signed by an authorized representative of the service provider, including name, title, address, and telephone number of one individual who is the provider's designated representative.
- 4.3 Resumes describing the background and experience of primary persons who would provide the transactional assistance.
- 4.4 If the service provider's proposal has geographic or other limitations on some or all of the services offered, these limitations should be clearly described.
- 4.5 Names, addresses, and telephone numbers of clients for whom the service provider has provided similar services. The AOC may check references listed by the service provider.
- 4.6 Responsive proposals should provide straightforward, concise information that satisfies the requirements noted above. Expensive bindings, color displays, and the like are neither necessary nor desired. Emphasis should be placed on skills and experience that respond to the needs of the trial courts, the requirements of this RFP, and completeness and clarity of content.

5.0 FEE PROPOSAL

The proposal should include the service provider's proposed fee schedule. It is expected that all service providers responding to this proposal will offer the service provider's government or comparable favorable rates.

6.0 RIGHTS

The AOC reserves the right to reject any and all proposals, 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 may be retained for official files and become a public record.

Only written responses will be accepted. Responses should be sent by registered or certified mail or by hand delivery. Service providers may send the AOC an advance copy by facsimile to Susan Goins at the fax number listed in Section 7.0 below. However, sending an advance copy by fax does not satisfy the submission requirements of paragraph 4.2.

7.0 PROJECT MANAGEMENT

The Project Manager for this RFP process is:

Susan R. Goins, Senior Attorney
Office of the General Counsel
Administrative Office of the Courts
455 Golden Gate Ave.
San Francisco, CA 94102
415-865-7664 phone
415-865-7664 fax
susan.goins@jud.ca.gov

8.0 EVALUATION OF PROPOSALS

In evaluating the proposals, the AOC will use the following criteria: the responsiveness of the proposal; the prospective service providers' experience with similar matters; the overall experience and expertise of the prospective service providers; the fee proposals; and responses to reference inquiries.

9.0 INTERVIEW

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.

10.0 PROPOSED CONTRACT TERMS AND APPLICABLE RULES

The contract with each selected service provider will include standard terms used in contracts with the State of California, as well as terms specific to the Program. Generally the terms of the contract will include, but will not be limited to: (1) completion of the project within the timeframe provided; (2) no additional work authorized without prior approval; (3) no payment without prior approval; (4) funding availability subject to Legislature; (5) termination of contract under certain conditions; (6) indemnification of the State; (7) approval by the State of any subcontractors; (8) national labor relations board, drug-free workplace, nondiscrimination, and FEHA and ADA requirements; and (9) minimum appropriate insurance requirements.

Incorporated in this RFP and attached as Attachment A and is a document entitled "Administrative Rules Governing Requests for Proposals."

11.0 DISABLED VETERAN BUSINESS ENTERPRISE PARTICIPATION GOALS

The State requires contract participation goals of three percent (3%) for disabled veteran business enterprises (DVBE). Therefore, your response should

demonstrate DVBE compliance; otherwise, if it is impossible for your firm to comply, please use the DVBE participation form attached as Attachment B to explain why, and demonstrate written evidence of a "good faith effort" to achieve participation. Your firm must complete the attached DVBE participation requirement form, even if it is only to explain why your firm cannot achieve the participation goal. Completing the attached form to the extent feasible is mandatory to be responsive to this solicitation's requirements. If your firm has any questions regarding the form, you should contact the Contracting Officer, Stephen Saddler, at 415-865-7989. For information regarding DVBE resources, please contact the Office of Small Business Certification and Resources at 916-323-5478.