



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: May 27, 2010

SUBJECT/PURPOSE OF MEMO: **REQUEST FOR PROPOSALS**
The Administrative Office of the Courts (AOC) seeks the services of one (1) Contractor with expertise in research design to develop, in partnership with the AOC, the design of the evaluation of the pilot projects under Sargent Shriver Civil Counsel Act (AB 590 [Feuer]).

ACTION REQUIRED: You are invited to review and respond to the attached Request for Proposal (RFP),
Project Title: DESIGN OF THE EVALUATION OF PILOT PROJECTS UNDER THE SARGENT SHRIVER CIVIL COUNSEL ACT
RFP Number: CFCC 12-10-LM

QUESTIONS TO THE SOLICITATIONS MAILBOX: Questions regarding this RFP should be directed to Solicitations@jud.ca.gov by **June 9, 2010, at close of business.**

DATE AND TIME PROPOSAL DUE: There will not be a pre-proposal conference for this RFP.
Proposals must be received by **June 14, 2010, at close of business.**

SUBMISSION OF PROPOSAL: Proposals must be sent to:
Judicial Council of California
Administrative Office of the Courts
Attn: Nadine McFadden, RFP No. CFCC 12-10-LM
455 Golden Gate Avenue, 7th Floor
San Francisco, CA 94102-3688

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

1.0 GENERAL INFORMATION

1.1 BACKGROUND

The Judicial Council of California (Judicial 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 is the staff agency for the Council and assists both the Council and its chair in performing their duties.

1.2 CENTER FOR FAMILIES, CHILDREN & THE COURTS

The Center for Families, Children & the Courts (CFCC), a division of the Administrative Office of the Courts, provides a range of services to courts in California, including funding, research and technical assistance for self-help centers, family law facilitators, and equal access programs in the legal services community. The CFCC will manage the pilot and evaluation projects described in this RFP.

1.2.1 The fact sheet for CFCC is located at:
www.courtinfo.ca.gov/reference/documents/factsheets/cfcc.pdf

1.2.2 The web site for CFCC is located at:
www.courtinfo.ca.gov/programs/cfcc/programs.

1.3 CALIFORNIA ASSEMBLY BILL NO. 590, CHAPTER 457 (Feuer)

AB 590 establishes a pilot project by the Judicial Council for the appointment of legal representation for unrepresented low-income parties in civil matters involving critical issues, such as domestic violence, child custody and elder abuse so that judicial decisions are made on the basis of the necessary information and the parties have an adequate understanding of the orders to which they are subject. Expanding representation will not only improve access to the courts and the quality of justice obtained by these individuals, but will allow court calendars that currently include many unrepresented litigants to be handled more effectively and efficiently.

1.3.1 The legislation is located at:
http://www.leginfo.ca.gov/pub/09-10/bill/asm/ab_0551-0600/ab_590_bill_20091011_chaptered.pdf

1.4 PILOT PROJECTS UNDER THE SARGENT SHRIVER CIVIL COUNSEL ACT (AB 590 [Feuer]) (“Pilot Projects”)

Commencing in fiscal year 2011–2012, Pilot Projects selected by the Judicial Council will be funded to provide representation to low-income parties on critical legal issues affecting basic human needs. The Pilot Projects will be operated by legal services nonprofit corporations working in collaboration with their local superior courts.

The purpose of the Pilot Projects is to improve timely and effective access to justice in civil cases and thereby avoid undue risk of erroneous court decisions resulting from the nature and complexity of the law in the specific proceeding or the disparities between parties in legal representation, education, sophistication, language proficiency, and access to self-help or alternative dispute resolution services.

Selected legal services agencies will provide representation to low-income Californians who are at or below 200 percent (200%) of the federal poverty level and need representation in one or more of the following areas:

- Housing-related matters;
- Domestic violence and civil harassment restraining orders;
- Elder abuse;
- Guardianship of the person;
- Probate conservatorship; or
- Child custody actions by a parent seeking sole legal or physical custody of a child, particularly where the opposing side is represented.

Selected court partners will implement improved court procedures, training, case management and administration methods, and best practices to ensure that unrepresented parties in the proposed case types have meaningful access, to guard against the involuntary waiver of rights in the selected legal areas or the disposition of cases by default, and to encourage fair and expeditious voluntary dispute resolution, consistent with principles of judicial neutrality.

1.4.1 For more information see the Judicial Council Fact Sheet, http://www.courtinfo.ca.gov/reference/documents/factsheets/AB_590.pdf

1.4.2 Evaluation Study

AB 590 requires the Judicial Council to conduct a study to demonstrate the effectiveness and continued need for the Pilot Program, and to report its findings and recommendations to the Governor and the Legislature on or before January 31, 2016. The objectives of the study as defined in the legislation are:

“The Judicial Council shall conduct a study to demonstrate the effectiveness and continued need for the pilot program established pursuant to this section and

shall report its findings and recommendations to the Governor and the Legislature on or before January 31, 2016. The study shall report on the percentage of funding by case type and shall include data on the impact of counsel on equal access to justice and the effect on court administration and efficiency, and enhanced coordination between courts and other government service providers and community resources. This report shall describe the benefits of providing representation to those who were previously not represented, both for the clients and the courts, as well as strategies and recommendations for maximizing the benefit of that representation in the future. The report shall describe and include data, if available, on the impact of the pilot program on families and children. The report also shall include an assessment of the continuing unmet needs and, if available, data regarding those unmet needs.”

2.0 TIMELINE FOR THIS RFP

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

EVENT	KEY DATE
Issue date of RFP	May 27, 2010
Deadline for questions to Solicitations@jud.ca.gov	June 9, 2010 at close of business
Latest date and time proposal may be submitted	June 14, 2010 at close of business
Evaluation of proposals (<i>estimate only</i>)	June 15-18, 2010
Notice of Intent to Award (<i>estimate only</i>)	June 21, 2010
Negotiations and execution of contract (<i>estimate only</i>)	June 28, 2010

N.B. Please be aware of the aggressive Timeline, paragraph 6.4.3 of this document and *Attachment 1 - Administrative Rules Governing Request for Proposals, M. Award and Execution of Agreement.*

3.0 PURPOSE OF THIS REQUEST FOR PROPOSALS (RFP)

3.1 The purpose of this Request for Proposals is to secure a contract to provide the services of a Contractor to develop the research design for the evaluation of the Pilot Projects. This RFP is the means for prospective professionals to submit their qualifications to the AOC and request selection as the Contractor on this solicitation. Services are expected to be performed by the Contractor between June 2010 and June 2011. Applications are encouraged from research organizations, academic institutions, and independent researchers.

Please note that the evaluation design referred to in this RFP does not include the operational plan for the Pilot Projects. The broad goals, plans, and selection of the Pilot Projects will be defined and carried out by a selection committee at the Judicial Council. The Contractor selected through this RFP process will design the evaluation of the outcomes of the Pilot Programs, as described below. The Contractor will work closely with the selection committee to ensure that the evaluation design is based on the specific goals and objectives of the Pilot Projects.

- 3.2 The expected contractual responsibilities and work requirements are set forth in *Exhibit D, Work to be Performed* for a period of **fifty (50) weeks**.

4.0 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 preparation and submittal of their proposals.
- 4.2. Attachment 2 - Contract Terms. Contracts with successful firms will be signed by the parties on a State of California Standard Agreement form and will include terms appropriate for this project. Terms and conditions typical for the requested services are attached as *Attachment 2* and include *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 2*, or clearly identify exceptions to the Contract Terms, as set forth in this *Attachment 3*.
- 4.3.1 If exceptions are identified, then proposers must also submit (i) a redlined version of *Attachment 2*, that clearly tracks proposed changes to this *Attachment*, and (ii) written documentation to substantiate each such proposed change.
- 4.3.2 Prospective service providers may include exceptions to the *Attachment 2*, in their proposal submission. However, the AOC, at its sole discretion, will determine whether such submitted exceptions are significant or minor. Proposals that contain significant exceptions may be deemed non-responsive by the AOC, at the AOC's sole discretion, to the requirements of this RFP and may be rejected without further evaluation.
- 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*.

5.0 EVALUATION OF PROPOSALS

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

- 5.1 *Quality of work plan submitted. (30 Total Possible Points).* Proposals will be evaluated considering the type of services required and the complexity of the project, with special consideration as listed in paragraph 6.1, below.
- 5.2 *Credentials of key personnel to be assigned to project. (25 Total Possible Points).* Proposals will be evaluated considering skills sets and their accomplished degrees, with special consideration as listed in paragraph 6.2, below.
- 5.3 *Experience of key personnel working on similar assignments. (20 Total Possible Points).* Proposals will be evaluated based upon demonstrated experience with past projects, including such factors as the ability to meet schedules, responsive work products, and the evaluation of legal and public sector policy initiatives, with special consideration as listed in paragraph 6.3, below.
- 5.4 *Ability to meet timing requirements. (10 Total Possible Points).* Proposals will be evaluated in terms of compliance with proposed contract terms, solicitation requirements and project scheduling, as demonstrated in 6.4, below.
- 5.5 *Reasonableness of cost projections. (10 Total Possible Points).* Proposals will be evaluated in terms of reasonableness of cost, proposed rate structure for the position, including breakdown of salary, overhead and profit, as demonstrated in 6.5, below.
- 5.6 *Proposer Stability and Capabilities. (5 Total Possible Points).* Proposals will be evaluated in terms of the agency's stability and capabilities as demonstrated in 6.6, below.

6.0 SPECIFICS OF A RESPONSIVE TECHNICAL PROPOSAL

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.

The following information shall be included as the technical portion of the proposal:

6.1 *Quality of work plan submitted.*

6.1.1 Approach:

- 6.1.1.1 Proposed process necessary to address the overall project objectives;

- 6.1.1.2 Proposed method to synthesize the available data and evaluation research and integrate results into an evaluation design;
- 6.1.1.3 Evidence of innovative approaches to the problem of evaluation in the area of legal services, including knowledge of the challenges to defining measurable outcomes and comparison groups, and proposed solutions;
- 6.1.1.4 Proposed method to incorporate the input of stakeholders and subject matter experts into the project, including an on-going structure to coordinate research taking place in the field;
- 6.1.1.5 Proposed project and team organization; and
- 6.1.1.6 Proposed approach of obtaining Project Manager's review and approval of all research design elements and deliverables developed for the project.

6.2. *Credentials of key personnel to be assigned to project.*

- 6.2.1 Provide current resume or curriculum vitae for professional staff working on the project, including information on academic and employment history, publications, presentations, professional memberships and awards;
- 6.2.2 Provide names and brief descriptions of evaluation projects of similar scope and/or related to the case types described in this RFP, that professional staff have worked on; and
- 6.2.3 Provide the most recent resume and the names, physical and electronic addresses, and telephone numbers of a minimum of three (3) clients for whom the proposed key personnel has conducted similar services. The AOC may check references listed by the proposer.

6.3 *Experience of key personnel working on similar assignments.*

- 6.3.1 Proposer has demonstrated experience with evaluation in the area of legal services and self help centers;
- 6.3.2 Proposer is familiar with quantitative and qualitative evaluation theory; and
- 6.3.3 Proposer has demonstrated knowledge and understanding of the California superior courts, the legal services network, the self help center network, pro bono providers, and the range of civil case types including family law that will be addressed by the project.

6.4 *Ability to meet timing requirements.*

6.4.1 Plan must include time estimates for completion of all work required.

6.4.2 Discuss the key personnel's availability and ability to complete the work within the project schedule, set forth in *Exhibit D, Work to be Performed*.

6.4.3 Compliance with Contract Terms. Complete and submit *Attachment 3-Proposer's Acceptance of the RFP's Contract Terms*. If changes are proposed, submit a version of *Attachment 2* with all tracked changes, as well as written justification supporting any such proposed changes. *Consideration will be given in terms of time necessary to address any proposed changes.*

6.5 *Reasonableness of cost projections.*

6.5.1 See below, *RFP: 7.0 Specifics of a Responsive Cost Proposal*.

6.6 *Proposer Stability and Capabilities.* Provide the following information about your company:

6.6.1 Proposer's point of contact, including name, physical and electronic addresses, and telephone and facsimile numbers in a cover letter.

6.6.2 Number of years conducting research in fields related to the subject of this RFP.

6.6.3 Number of full time employees, if relevant.

6.6.4 Disclose any judgments, pending litigation, or other real or potential financial reversals that might materially affect the viability of the proposer's company.

6.6.5 Annual gross revenue from your most recent audited or reviewed profit and loss statement and balance sheet. State the audit/review year and the annual gross revenue. The AOC may request a copy of your most recent audited or reviewed profit and loss statement and balance sheet.

6.6.6 Tax recording information. Complete and submit *Attachment 4 - Payee Data Record Form*. Note that if an individual or **sole proprietorship**, using a social security number for tax recording purposes, is awarded a contract, the social security number will be required prior to finalizing a contract.

7.0 SPECIFICS OF A RESPONSIVE COST PROPOSAL

The following information shall be included as the cost portion of the proposal:

7.1 Reasonableness of Cost Projections.

- 7.1.1 As a separate document, submit a detailed line item budget showing total cost of the services for each of the **ten (10) Deliverables** specified in *Attachment 2 Contract Terms, Exhibit D, Work to be Performed*. This budget should identify unique hourly rates, titles, and responsibilities for each “Key Personnel,” plus rates for any additional staff, but can group this information for other personnel in a more general manner. Staff rates should be fully burdened, including indirect costs, overhead and profit. The cost proposal should also include separate line items for administrative and operating expenses, travel, meals and lodging, as set forth as allowable expenses in *Exhibit C, Payment Provisions, section 3. Compensation for Transportation, Meals, Lodging and Administrative and Operating Expenses*. Fully explain and justify all budget line items in a narrative entitled “Budget Justification.”
- 7.1.2 The total cost for Contractor services will range from **\$80,000.00 to \$90,000.00**, inclusive of personnel, materials, overhead fully burdened hourly rates, travel-related expenses, administrative and operating expenses and profit. The method of payment to the Contractor will be by cost reimbursement for each of the **ten (10) Deliverables** specified in *Attachment 2 - Contract Terms, Exhibit D, Work to be Performed*.

8.0 SUBMISSIONS OF PROPOSALS

- 8.1 *The selected Proposer for this Project cannot participate in the RFP or evaluation of the Pilot Projects.*
- 8.2 The proposer shall provide their point of contact, including name, physical and electronic addresses, and telephone and facsimile numbers in a cover letter.
- 8.3 Responsive proposals should provide straightforward, concise information that satisfies the requirements noted in item *RFP: 6.0 Specifics of a Responsive Technical Proposal*, 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.
- 8.4 Proposers will submit **one (1) original and three (3) copies** of the technical proposal signed by an authorized representative of the company, including name, title, address, and telephone number of one individual who is the proposer’s designated representative. The most recent resume should be in MS Word format. Proposers are also required to submit an electronic version of the **entire proposal on CD-ROM**.
- 8.5 Proposers will also submit an electronic proposed version of the **proposal on CD-ROM redacted to remove proprietary, confidential or personal data**. The most recent resume(s) and the redacted version of the entire proposal should be in MS Word format.
- 8.6 Proposals must be delivered to the individual listed under Submission of Proposals, as

set forth on the cover memo of this RFP.

- 8.7 Only written responses will be accepted. Responses should be sent by registered or certified mail or by hand delivery.

9.0 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.

10.0 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.

11.0 CONFIDENTIAL OR PROPRIETARY INFORMATION

California judicial branch entities are subject to California Rule of Court 10.500 (see: <http://www.courtinfo.ca.gov/rules/amendments/jan2010-2.pdf>), which governs public access to judicial administrative records (“Rule 10.500”). Under Rule 10.500(f)(10), records “that contain trade secrets or privileged or confidential commercial and financial information submitted in response to a judicial branch entity’s solicitation for goods or services or in the course of a judicial branch entity’s contractual relationship with a commercial entity” are not subject to public disclosure. If a proposer’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 Rule 10.500, then that information will not be disclosed pursuant to a request for judicial administrative records. If the AOC finds or reasonably believes that such material is not exempt from disclosure under Rule 10.500, the material will 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