



REQUEST FOR PROPOSALS

JUDICIAL COUNCIL OF CALIFORNIA

REGARDING:

LEGAL SERVICES PROVIDERS TO
OPERATE PILOT PROJECTS UNDER
THE SARGENT SHRIVER CIVIL
COUNSEL ACT

RFP NUMBER: CFCC-2016-12LB

PROPOSALS DUE:

MAY 2, 2017

NO LATER THAN 2:00 P.M. PACIFIC TIME

1.0 BACKGROUND INFORMATION

- 1.1 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 Judicial 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 Judicial Council also adopts rules for court administration, practice, and procedure, and performs other functions prescribed by law. The Judicial Council is the staff agency for the council and assists both the council and its chair in performing their duties.
 - 1.1.1 The Center for Families, Children & the Courts (CFCC), housed in the Judicial Council's Judicial and Court Operations Services Division, is dedicated to improving the quality of justice and services to meet the diverse needs of children, youth, and self-represented litigants.
 - 1.1.2 The Judicial Council is charged with the implementation of the Sargent Shriver Civil Counsel Act (AB 590 (Feuer), Stats. 2009 Ch. 457) by funding pilot projects.
 - 1.1.3 CFCC is responsible for administering the pilot project grant contracts, which may be awarded to legal services providers as a result of this RFP.
- 1.2 The **Sargent Shriver Civil Counsel Act**, which commenced in fiscal year 2011–2012, provided that one or more pilot projects selected by the Judicial Council would be funded for legal representation and improved court services to low-income parties on critical legal issues affecting basic human needs.
 - 1.2.1 The purpose of the individual 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 lack of access to self-help or alternative dispute resolution services.
 - 1.2.2 Selected legal services providers will provide legal representation to low-income Californians who are at or below 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; and
- 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.

- 1.2.3 Among the highest priorities will be pilot projects that provide legal representation in child custody cases in which a parent is seeking sole legal or physical custody, particularly when one side is represented and the other is not. Up to 20% of the total available funding shall be allocated for pilot projects that provide representation in child custody cases.
- 1.2.4 Each pilot project is a partnership among (i) the court, (ii) a qualified legal services project, as defined by subdivision (a) of §6213 of the Bus. & Prof. Code, that shall serve as the lead legal services agency for case assessment and direction, and (iii) other legal services providers in the community who are able to provide the services for the project. The lead legal services agency shall be the central point of contact for receipt of referrals to the project and to make determinations of eligibility based on uniform criteria. The lead legal services agency shall be responsible for providing representation to the clients or referring the matter to one of the organizations or individual with whom the lead legal services agency contracts to provide the service. To the extent practical, legal services agencies must identify and make use of pro bono services from attorneys in order to maximize available services efficiently and economically. Each pilot project is required to form a Local Advisory Committee to include representatives from the bench and court administration, the lead legal services agency, and the other providers that are part of the pilot project.
- 1.2.5 Selected court partners will be required to implement improved court procedures, training, case management and administration methods, and best practices to ensure that eligible low income unrepresented parties in the proposed areas of law have meaningful access to justice. Improved court procedures should guard against the involuntary waiver or other loss of rights in the selected legal areas and the disposition of cases by default or without appropriate information and regard for potential claims and defenses. Procedures should also encourage fair and expeditious voluntary dispute resolution, consistent with principles of judicial neutrality, and take into account that self-help services may be inadequate to meet the needs of unrepresented parties because of their relative education, income, language proficiency, and the skills needed to effectively advocate for themselves in light of

the nature and complexity of the proceeding, particularly when the opposing party is represented by counsel.

- 1.2.6 There have been two grant cycles in this project since 2011. Ten pilot projects were selected by the Judicial Council and began operation in early 2012. Nine were selected in 2014. All projects involve legal services providers working in collaboration with local superior courts to provide representation and other assistance to low income Californians who are facing a represented party. Five of the current pilot projects provide representation in housing matters; three programs focus on family cases with a disputed child custody matter; and one provides services in guardianship and conservatorship proceedings. Under the terms of the legislation, the projects were authorized for a three-year period, subject to renewal for a period to be determined by the Judicial Council in consultation with each participating project in light of the project's capacity and success. The legislation provided that after the initial three-year period, the Judicial Council shall distribute any future funds available as a result of the termination or nonrenewal of a project, "in consultation with each participating project in light of the project's capacity and success." The initial three-year period ended on September 30, 2014. The second three-year period will end on September 30, 2017. New and existing programs are invited to propose new methods of providing services to enable continuing development of best practices.
- 1.2.7 A key element of the pilot projects is participation in a legislatively mandated study. The initial report on the study was submitted to the legislature in January, 2016 and a more in-depth study will be submitted in spring 2017. The study will report on the percentage of funding by case type and will include data on the impact of counsel on equal access to justice and the effect on court administration and efficiency, as well as enhanced coordination between courts and other government service providers and community resources. The report will 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 will describe and include data, if available, on the impact of the pilot program on families and children. The report will also include an assessment of the continuing unmet needs and, if available, data regarding those unmet needs. The Judicial Council intends to continue efforts to evaluate the impact of the pilot programs on addressing the goals identified by the legislature and identify best practices.
- 1.3 Additional information about the documents pertaining to this solicitation, including electronic copies of the solicitation documents, can be found on the California Courts' Website, at www.courts.ca.gov/rfps.htm.

2.0 PURPOSE FOR THIS REQUEST FOR PROPOSALS (RFP)

- 2.1 This RFP is the means for legal services providers to submit their qualifications and request selection as a pilot project legal services provider. Both proposals for new projects and proposed renewals are eligible.

- 2.2 The Judicial Council intends to award one or more grant contracts for pilot projects for a three (3)-year period, **October 1, 2017 through September 30, 2020**. The yearly amount available for pilot projects collectively is expected to be approximately \$6.9 million and funded by a \$10 fee increase on certain post-judgment Court services. Grant contracts will be funded each 1-year period. The Cost Proposal for this RFP shall be made for all three (3) years. A proposal will be used for the county for which it is proposed and not for additional counties.

- 2.3 Proposals must be submitted by the qualified legal services project that shall serve as the lead legal services agency (“the proposer”) and approved by the partnering superior court.”

3.0 TIMELINE FOR THIS RFP

The Judicial Council has developed the following list of key events related to this RFP. All dates are subject to change at the discretion of the Judicial Council.

EVENT	DATE
RFP issued.	March 14, 2017
Deadline for questions to Solicitations@jud.ca.gov.	April 3, 2017 no later than 2:00 PM (PT)
Questions and answers posted. <i>(estimate only)</i>	April 11 , 2017
Latest date and time proposal may be submitted.	May 2, 2017 no later than 2:00 PM (PT)

Evaluation of proposals. This period includes interviews. <i>(See 10.0 Interviews) (estimate only)</i>	May 2, 2017 through June 23, 2017
Notice of Intent to Award. <i>(estimate only)</i>	July 31, 2017
Negotiations and execution of contract. <i>(estimate only)</i>	July 31 – August 30, 2017
Notice of Award. <i>(estimate only)</i>	September 1, 2017
Contract start date. <i>(estimate only)</i>	October 1, 2017
Contract end date with option for two one year renewals. <i>(estimate only)</i>	September 30, 2018

4.0 RFP ATTACHMENTS

A. The following attachments are included as part of this RFP:

ATTACHMENT	DESCRIPTION
Attachment 1: Administrative Rules Governing RFPs (Non-IT Services):	These rules govern this solicitation.
Attachment 2: Judicial Council Standard Terms and Conditions	If selected, the person or entity submitting a proposal (the “Proposer”) must sign this Judicial Council Standard Form agreement.
Attachment 3: Proposer’s Acceptance of Terms and Conditions	On this form, the Proposer must indicate acceptance of the Terms and Conditions or identify exceptions to the Terms and Conditions.
Attachment 4: General Certifications Form	The Proposer must complete the Conflict of Interest Certification Form and submit the completed form with its proposal.

ATTACHMENT	DESCRIPTION
Attachment 5: Darfur Contracting Act Certification	The Proposer must complete the Darfur Contracting Act Certification and submit the completed certification with its proposal.
Attachment 6: Iran Contracting Act Certification	The Proposer must complete the Iran Contracting Act Certification and submit the completed certification with its proposal.
Attachment 7: Payee Data Record Form	This form contains information the Judicial Council requires in order to process payments and must be submitted with the proposal.
Attachment 8: Unruh Civil Rights Act and California Fair Employment and Housing Act Certification	The proposer must complete the Unruh Civil Rights Act and California Fair Employment and Housing Act Certification and submit the completed certification with its proposal.
Attachment 9: Conflict of Interest Certification Form	The Proposer must complete this form and submit with its proposal.
Attachments 3-9 must be signed by an authorized representative of the Proposer.	

5.0 SUBMISSIONS OF PROPOSALS

5.1 Basic Guidelines.

Proposals should provide straightforward, concise information that satisfies the requirements of *Section 6, Proposal Contents*, and separate proposals shall be submitted for each separate project. Expensive bindings, color displays, marketing or sales materials do not add value to the evaluation process. Emphasis should be placed on conformity to the RFP’s instructions and requirements, completeness and clarity of content. The Technical Proposal must be double-spaced, using a standard 12-point font with at least 1-inch margins. All pages must be numbered.

5.2 Letter of Introduction.

Within a two-page limit, the following must be included: Proposer’s name, address, telephone, fax, email, federal tax identification number, and a statement that the Proposer is a qualified legal services project as defined by Bus. & Prof. Code §6213(a); a general description of the proposed pilot project, which identifies the areas of law for which legal representation will be provided and the amount of funding requested. It must identify the superior court partner and the names of any other legal services providers that will participate in the pilot project. The Letter of Introduction must name the persons who will be authorized

to make representations for the Proposer, the superior court, and other legal services providers and include the mailing and email address, telephone and fax numbers of each authorized representative.

5.3 Signatures.

5.3.1 The proposal must be signed by the president of the Board of Directors and the executive director or other individuals that have been duly authorized by the lead legal services agency's board of directors to execute contracts on behalf of the agency.

5.3.2 The Letter of Introduction or supporting letter from a superior court must be signed by the presiding judge and the court executive officer. A letter from the duly authorized representative of the court, which gives approval for the submission of this proposal, may be submitted in lieu of signatures on the Letter of Introduction.

5.4 The Proposer must submit the proposal in two parts, the Technical Proposal and the Cost Proposal.

5.4.1 The Proposer will submit **one (1) original and six (6) copies** each of the Technical Proposal and Cost Proposal. The original and 6 copies of each proposal shall be submitted in a single separate sealed envelope with two (2) sealed Proposal envelopes inside. The originals must be signed by an authorized representative of the Proposer. The Proposer will write the RFP title and number on the outside envelope(s).

5.4.2 The Proposer must submit a complete electronic version of its proposal on CD-ROM or a flash drive, which will not be returned. **The files should be in editable/unprotected Word or Excel formats as well as PDF.**

5.5 Only hard copy proposals will be accepted. Proposals should be submitted by registered or certified mail, courier service (e.g. FedEx), or delivered by hand to the following address. Proposals may not be submitted by facsimile or email.

Judicial Council of California
Branch Accounting and Procurement | Administrative Division
Attn: Lenore Fraga-Roberts, **RFP: CFCC-2016-12LB**
455 Golden Gate Avenue 6th Floor
San Francisco, CA 94102-3688

- 5.6 Proposals must be received by the date and time listed on the coversheet of this RFP. Late proposals will not be accepted.

6.0 PROPOSAL CONTENTS

At the time proposals are opened, each proposal will be checked for the presence or absence of the required proposal contents.

- 6.1 **Technical Proposal.** The following information must be included in the Technical Proposal, *which shall cover three (3) years*. Every effort must be made to provide detailed information for services. A proposal lacking any of the following information may be deemed non-responsive.

6.1.1 General information about the Proposer (the “lead agency”). Proposer’s name, address, telephone and fax numbers, and federal tax identification number.

6.1.2 Project Narrative. The Proposer must provide a detailed description of the services to be provided.

6.1.2.1. Administration

- i. Identify the lead legal services agency, the Court, and all other agencies and individuals that will participate in the pilot project and the nature of their participation.
- ii. Describe how the pilot project will be administered.
- iii. Specify the areas of law for which legal representation will be provided and the objectives the proposed pilot project seeks to achieve.
- iv. For previously funded projects:
 - a. What innovations were instituted in the previous grant?
 - b. Provide any information on the success and challenges of those efforts.
 - c. What changes or modifications does the project propose for the next phase, if any?

6.1.2.2. Court Innovation

- i. What innovations will the Court adopt or has it adopted regarding Court procedures, training, case management and

administration methods to implement best practices to ensure that eligible low income unrepresented parties in the proposed areas of law will have meaningful access to justice?

- ii. What effect will those Court procedures have on achieving the goals of the authorizing statute? For example, will they increase settlements, preserve Court resources and personnel, reduce inaccurate or incomplete Court papers, unnecessary continuances, and unproductive Court appearances, or guard against the involuntary waiver of rights or other loss of rights or the disposition of cases by default or without the Court receiving appropriate information to determine the case?
- iii. If such procedures have already been instituted, please provide any information on the success and challenges of those efforts. Are there any changes proposed to these procedures if this grant is awarded?

6.1.2.3 Court's Procedures to Encourage Voluntary Dispute Resolution

- i. What new procedures has the Court adopted or will adopt to encourage the parties to participate in fair and expeditious voluntary dispute resolution, consistent with the principles of judicial neutrality
- ii. If already adopted, please provide any information on the success and challenges associated with these efforts. Are there any changes proposed to these procedures if this grant is awarded?

6.1.2.4 Eligible Population

- i. Provide an estimate of the proportion of the eligible population who are currently unrepresented in the proposed areas of law for which legal representation will be provided and the proportion of unrepresented persons in the proposed areas of law who face represented opponents.
- ii. What information was used in making these estimates?

6.1.2.5 Cost Savings for the Public

- ii. How will the pilot project eliminate or reduce the need for and cost of public social services or otherwise lead to potential public savings?
- ii. Explain what information was used in making these estimates.

6.1.2.6 Lead Agency Qualifications

- i. Provide an overview of the lead agency's qualifications, highlighting experience providing legal representation in the areas of law for which services will be provided or other areas and the expertise and experience of staff members who will be responsible for the pilot project.
- ii. Provide an overview of qualifications of all other agencies or individuals who will be providing legal representation in the pilot project.

6.1.2.7 Collaboration

- i. Describe collaborative efforts between the lead legal services agency and the Court and between the lead legal services agency and other legal services agencies that will be participating in the pilot project.
- ii. Please provide the highlights or achievements from those collaborative efforts as well as the challenges associated with those efforts.

6.1.2.8 Anticipated Numbers of Persons Served

- ii. How many clients does the project anticipate serving?
- ii. Provide a short description of each service delivery method to be used and identify how many people the project intends to serve by that method. For example, Limited Scope Representation – landlord/tenant – identify defenses, prepare an answer to be filed with the court, provide information to client about settlement options and basic trial preparation – 320 annually.
- iii. For previously funded projects, if the numbers of clients served were different from what was initially anticipated, please explain why.

6.1.2.9 Referral System

- i. How will litigants find out about the pilot project?
- ii. What referral systems will be developed?
- iii. For previously funded projects, if this procedure has changed over time, please note that and explain the reasons for the change. Are there any changes proposed if this grant is awarded?

6.1.2.10 Eligibility Determination

- i. How will the program assess cases and determine which eligible persons are provided full legal representation, which are

provided limited legal representation, which are provided only advice and assistance, which receive mediation and which eligible persons are referred to self help or other services?

- ii. Why were these methods and criteria chosen?

6.1.2.11 Conflicts

- i. How will conflicts be identified and addressed without violating attorney-client privilege when adverse parties are seeking representation and both parties are eligible for services?
- ii. Describe the protocols for referring to the cooperating agency or conflicts panel when both parties are eligible for services.

6.1.2.12 Coordination with Private Attorneys

- i. How will private attorneys be utilized in the pilot projects as pro bono counsel and/or as paid contractors?
- ii. How will those attorneys maintain and supply information about the time devoted to representation of project clients?
- iii. How will pro bono attorneys be encouraged to provide these services?

6.1.2.13 Language Access

Describe how services will be provided to individuals with limited English proficiency.

6.1.2.14 Organization and Staffing Plan -

Provide a staffing schedule listing all of the following, if applicable:

- i. Classification and full-time equivalent (FTE) or part-time status for each attorney position included in the proposal (i.e., if part-time, how much of the attorney's time will be dedicated to this contract); and
- ii. Classification and FTE or part-time status of non-attorney staffing (i.e., if part-time, how much of each staff's time will be dedicated to this contract).
- iii. Proposed number of clients per full time equivalent attorney.

6.1.2.15 Avoiding Supplantation

Describe the processes that the agency and Court have in place to ensure that neither the agency, its approved subcontractors,

nor the Court double charge personnel time or costs to different contracts.

6.1.2.16 Ensuring High Quality Legal Work

- i. How will attorney and support staff be supervised to ensure the quality and adequacy of legal representation? Include a description of the mechanisms to ensure the oversight of the quality of services provided by subcontractors and pro bono attorneys.
- ii. What training, mentoring, and continuing education programs will be offered to attorney and other staff, including contract and pro bono attorneys providing legal representation?

6.1.2.17 Location

Provide information about the location(s) or planned location(s) for the pilot project. Include information about whether the location is accessible for persons with disabilities.

6.1.2.18 Participation in Evaluation

- i. Describe the lead legal service agency's capability to participate in the evaluation of the Shriver project as required by AB590 and state the agency's commitment to fully cooperate with the Judicial Council and evaluation contractor.
- ii. Describe how the agency will assist the evaluation contractor with data collection, including: supplying information about the time devoted to representation of project clients, maintaining case and statistical information required for reporting purposes, facilitating access to Court records for review, facilitating access to clients for follow-up surveys or interviews, and hosting evaluator site visits. Indicate the agency's willingness to participate in an extensive site-level evaluation, including a willingness to implement random assignment of a significant number of cases as determined by the evaluator to either receive or not receive representation.
- iii. For previously funded projects, describe the project's participation in the evaluation to date.

6.1.3 Project Explanation. The Proposer must provide an explanation of the role of the proposed pilot project.

- 6.1.3.1 In eliminating or reducing the potential need for and the cost of public social services or otherwise leading to potential public savings;
 - 6.1.3.2 In reducing the unmet need for legal services in the geographic area to be served;
 - 6.1.3.3 In guarding against the involuntary waiver or other loss of rights;
 - 6.1.3.4 In reducing the risk of erroneous Court decisions;
 - 6.1.3.5 In encouraging fair and expeditious voluntary dispute resolution;
 - 6.1.3.6 In resulting in a more informed decision of the Court or a more favorable outcome for the client;
 - 6.1.3.7 In addressing the needs of the Court in regards to access to justice, calendar management, and the fair and efficient administration of justice; and
 - 6.1.3.8 In providing information about the cost effective provision of legal representation to eligible low-income clients in the specified areas of the law that can be replicated in other parts of the state.
- 6.1.4 Proposer's experience and ability to meet RFP deliverable requirements
- 6.1.4.1 Describe three (3) similar projects that Proposer has completed including an overview of the project, number of staff involved, number of clients served, and evaluation activities.
 - 6.1.4.2 Names, addresses, and telephone numbers of the funder of those projects. The Judicial Council may check references listed by Proposer.
 - 6.1.4.3 For each key staff member who would work on this project, such as attorneys and project managers, describe the individual's background, training, and experience, including the individual's ability and experience in conducting similar projects. For staff members not yet known, describe the ideal candidate's background, etc.
 - 6.1.4.4 Description of the agency's ability to manage a large project, maintain required data and address potential delays in payment due to complexity of the State reimbursement process.

6.1.5 Acceptance of the Terms and Conditions

6.1.5.1 Proposer must complete and submit with proposal *Attachment 3, Proposer's Acceptance of Terms and Conditions*. Proposer must complete by either indicating 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 proposed change.

6.1.5.2 *If exceptions are suggested*, the Proposer must also submit a redlined version of the Terms and Conditions, *Attachment 2, Contract Terms and Conditions* that clearly tracks proposed changes and the written explanation or rationale for each exception and/or proposed change.

6.1.6 Certifications, Attachments, and other requirements

6.1.6.1 Proposer must complete and submit with proposal *Attachment 4, General Certifications Form* to certify that no interest exists that would constitute a conflict of interest under California Public Contract Code §§10365.5, 10410 or 10411; Government Code §§1090 et seq. or 87100 et seq.; or rule 10.103 or rule 10.104 of the California Rules of Court, which restricts employees and former employees from contracting with judicial branch entities.

6.1.6.2 Proposer must complete and submit with proposal *Attachment 5, Darfur Contracting Act Certification Form* to certify that Proposer is not a "scrutinized" company as defined in Public Contract Code §10476.

6.1.6.3 Proposer must complete and submit with proposal *Attachment 6, Iran Contracting Act Certification Form*. Pursuant to Public Contract Code (PCC) §2204, the *Form* is required for solicitations of goods or services of \$1,000,000 or more.

6.1.6.4 Proposer must complete and submit with proposal *Attachment 7, Payee Data Record Form* or provide a copy of a form previously submitted to the Judicial Council.

6.1.6.5 Proposer must complete and submit with proposal *Attachment 8, Unruh Civil Rights Act and California Fair Employment and Housing Act Certification*.

6.1.6.6 Proposer must complete and submit with proposal *Attachment 9,*

Conflict of Interest Certification Form.

- 6.1.6.7 If Proposer is a California corporation, limited liability company (“LLC”), limited partnership (“LP”), or limited liability partnership (“LLP”), proof that Proposer is in good standing in California. If Proposer is a foreign corporation, LLC, LP, or LLP, and Proposer conducts or will conduct (if awarded the contract) intrastate business in California, provide proof that Proposer is qualified to do business and in good standing in California. If Proposer is a foreign corporation, LLC, LP, or LLP, and Proposer does not (and will not if awarded the contract) conduct intrastate business in California, proof that Proposer is in good standing in its home jurisdiction.
 - 6.1.6.8 Proposer must provide copies of current business licenses, professional certifications, or other credentials.
- 6.2 **Cost Proposal.** The following information must be included in the Cost Proposal. Every effort must be made to provide detailed information for charges and costs. A proposal lacking any of the following information may be deemed non-responsive.
- 6.2.1 The pricing for legal services, as defined in Attachment 2, Exhibit C, Payment Provisions.
 - 6.2.2 The Proposer shall specify the total maximum three (3)-year cost to the Judicial Council. Proposers must include a statement that the Cost Proposal is being submitted with a clear understanding that its proposed costs are final, without restrictive conditions that increase costs, and that its proposed costs will not be exceeded. Proposals received without this statement will not be evaluated.
 - 6.2.3 Project Costs. The proposer should describe:
 - 6.2.3.1 Percentage of Proposer’s costs directly applied to both attorney and non-attorney pilot project staff, and the percentage to non-personnel costs;
 - 6.2.3.2 The reasonableness of proposed salaries for pilot project staff;
 - 6.2.3.3 Extent to which Proposer has incorporated the use of pro bono attorneys or other volunteers into the pilot project;
 - 6.2.3.4 Extent to which the proposed pilot project will create efficiencies in service delivery.

6.2.3.5 Extent to which Court innovations will increase settlements, preserve Court resources and personnel, reduce inaccurate or incomplete Court papers, unnecessary continuances, and unproductive Court appearances or otherwise create efficiencies in Court operations.

6.2.4 All pricing is to be submitted in an unprotected Microsoft Excel format. No compressed files will be accepted. Cost should be detailed where necessary.

6.2.5 It is expected that all service providers responding to this RFP will offer the service provider's government or comparable favorable rates. Proposers should make their best and final offer on the most favorable terms available.

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 §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 day (120) period, the Judicial Council reserves the right to negotiate extensions to this period.

8.0 EVALUATION OF PROPOSALS

8.1 At the time proposals are opened, each proposal will be checked for the presence or absence of the required proposal contents.

8.2 Proposals will be reviewed by an Implementation Committee appointed by the Chief Justice, who is Chair of the Judicial Council. The Implementation Committee will consider pilot projects based on whether persons proposed to be assisted are likely to be opposed by party who is represented by counsel in the areas of law proposed for services. The Implementation Committee will also consider the applicants' capacity for success, innovation and efficiency, including, but not limited to, the likelihood that the project would deliver quality representation in an effective manner that would meet critical needs in the community and address the needs of the court with regard to access to justice and calendar management, and the unique local unmet needs for representation in the community. The Implementation Committee will also assess whether the legal services organizations and the courts have the capability and commitment to providing data for evaluation. The Implementation Committee will make recommendations to the Judicial Council regarding which proposed pilot projects to fund.

8.3 Proposals will be evaluated by the Implementation Committee and Judicial Council to determine the Proposer's demonstrated ability to provide quality legal services to parties in civil cases efficiently and economically and the court's proposed innovations to help ensure that eligible low income unrepresented parties in the proposed areas of law will have meaningful access to justice.

8.4 The Judicial Council will evaluate the proposals on a **100-point scale** using the criteria set forth in the table below. Award, if made, will be to the highest scored proposal.

CRITERIA	MAXIMUM POINTS
Cost Proposal	30
Quality of work plan submitted	40
Acceptance of the Terms and Conditions	10
Demonstrated experience and ability.	15
References	5

9.0 INTERVIEWS

The Judicial Council may conduct interviews with Proposers with higher initial scores to clarify aspects set forth in their proposals. The Judicial Council will not reimburse Proposers for any costs incurred in traveling to or from the interview location. The Judicial Council will notify eligible Proposers regarding interview arrangements.

10.0 CONFIDENTIAL OR PROPRIETARY INFORMATION PROPOSALS ARE SUBJECT TO DISCLOSURE PURSUANT TO APPLICABLE PROVISIONS OF THE CALIFORNIA PUBLIC CONTRACT CODE AND RULE 10.500 OF THE CALIFORNIA RULES OF COURT. The Judicial Council will not disclose (i) social security numbers, or (ii) balance sheets or income statements submitted by a Proposer that is not a publicly traded corporation. All other information in proposals will be disclosed in response to applicable public records requests. Such disclosure will be made regardless of whether the proposal (or portions thereof) is marked “confidential,” “proprietary,” and regardless of any statement in the proposal (a) purporting to limit the Judicial Council’s right to disclose information in the proposal, or (b) requiring the Judicial Council to inform or obtain the consent of the Proposer prior to the disclosure of the proposal (or portions thereof). Any proposal that is password protected, or contains portions that are password protected, may be rejected. Proposers are accordingly cautioned not to include confidential, proprietary, or privileged information in proposals.

11.0 DISABLED VETERAN BUSINESS ENTERPRISE PARTICIPATION GOALS

The Judicial Council 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 Judicial Council to receive a solicitation specifications protest is the proposal due date. Protests should be sent to:

Judicial Council of California – Branch Accounting and Procurement |
Administrative Division
Attn: Protest Hearing Officer RFP No. CFCC-2016-12LB
455 Golden Gate Avenue, Sixth Floor
San Francisco, CA 94102-3688

END OF RFP