



Judicial Council of California
ADMINISTRATIVE OFFICE OF THE COURTS

FINANCE DIVISION

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REQUEST FOR PROPOSAL

**PROJECT TITLE: STATEWIDE ADMINISTRATIVE
INFRASTRUCTURE INITIATIVES REVIEW**

RFP NUMBER: EXEC-0501

**PROPOSALS DUE BY: 1:00 PM, OCTOBER 13, 2005
AS SET FORTH IN SECTION 2.1**

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I. INTRODUCTION – SUMMARY OF THE INTENDED PROCUREMENT

1.1 Issuing Body

A. The Judicial Council of California, chaired by the Chief Justice of California, is the chief policy making agency of the State’s 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.

B. This Request for Proposal (“RFP”) is being issued by the Judicial Council of California, Administrative Office of the Courts (“AOC”) for the support of the Administrative Office of the Courts, the 58 Superior Courts of California (the trial courts), and the Courts of Appeal and the Supreme Court (the appellate courts) (collectively referred to as Judicial Branch Entity or “JBE”).

1.2 RFP Layout and Sections

This RFP is laid out in sections as follows:

- I. Introduction – Summary of the Intended Procurement
- II. Procurement and Evaluation Process
- III. Proposal Format and Content
- IV. Statement of Work
- V. General Conditions
- VI. Attachments

1.3 Project Overview

A. The AOC is requesting proposals from highly qualified consultants with demonstrated expertise in the evaluation and review of government/public sector projects and programs to conduct a mid-course review, analysis, and evaluation (collectively referred to as the “Report”) of current and planned directions with regard to Judicial Council directives, objectives, and overarching strategies for the development and implementation of statewide administrative infrastructure initiatives for the judicial branch, in furtherance of the effective administration of justice in California.

With respect to each identified infrastructure initiative (in the areas of finance, technology, human resources, facilities, and legal), this study should provide an analysis and evaluation of the following considerations:

- (1) Is the initiative operationally effective in addressing (i) courts' administrative services needs, (ii) Judicial Council oversight needs, and (iii) AOC needs, in terms of being implementable in a way that can be maintained in a reliable and efficient manner?
- (2) Is the initiative as financially efficient as possible?
- (3) Are the risks of project failure and cost overruns understood and appropriately managed?
- (4) By maintaining or adjusting current approaches, will the initiative yield the benefits that the Judicial Council and the state are seeking for reliable, consistent, timely, and accurate information that can support day-to-day operations, planning, and accountability for California's court system?
- (5) Is further action or analysis is needed to clarify major goals and directions; provide guidance on the most effective use of resources; and facilitate the most timely implementation of solutions?

B. The AOC intends to award a contract for the proposed consulting services, as further described in Section IV of this RFP, that are expected to be completed by **May 4, 2006**. However, the AOC reserves the right to reject any or all proposals, in whole or in part, submitted in response to this RFP. The AOC further reserves the right to make no award and to modify or cancel, in whole or in part, this RFP.

C. Depending on the final analysis and evaluation outcome of the services anticipated by this RFP, the AOC may request additional follow-on consultant services relative to the development of specific recommendations and/or action plans for individual administrative infrastructure initiatives.

II. PROCUREMENT AND EVALUATION PROCESS

2.1 Procurement Schedule and General Instructions

A. The AOC has developed the following list of key events from RFP issuance through notice of contract award. All key dates are subject to change at the AOC's discretion.

<u>No.</u>	<u>EVENT</u>	<u>Key Dates</u>
1	Issue RFP	August 12, 2005
2	Pre-Proposal Conference	August 31, 2005
3	Deadline for Proposer Requests for Clarifications or Modifications	September 8, 2005
4	AOC Posts Clarification / Modification Response	September 23, 2005
5	Proposal Due Date and Time	October 13, 2005
6	Preliminary Evaluation of Proposals	October 14-28, 2005
7	Notification of Vendors Selected to Make Oral Presentations / Interviews	November 2, 2005
8	Oral Presentations / Interviews (estimated)	Week of November 7, 2005
9	Final Evaluation (estimated)	November 14-18, 2005
10	Negotiations (estimated)	November 21 – December 16, 2005
11	Notice of Award (estimated)	December 16, 2005
12	Execution of Contract	December 23, 2005

B. The RFP and any addenda that may be issued will be available on the following website:

<http://www.courtinfo.ca.gov/reference/rfp/> (“Courtinfo website”)

2.1.1 Contact List

Submittal Contact: Nadine McFadden
Judicial Council of California
Administrative Office of the Courts
455 Golden Gate Avenue, 7th Floor
San Francisco, CA 94102-3660
Email: nadine.mcfadden@jud.ca.gov

Contracting Officer: Charles Turner
Judicial Council of California
Administrative Office of the Courts
455 Golden Gate Avenue, 7th Floor
San Francisco, CA 94102-3660
Email: charles.turner@jud.ca.gov

Business Services Manager: Grant Walker
Judicial Council of California
Administrative Office of the Courts
455 Golden Gate Avenue, 7th Floor
San Francisco, CA 94102-3660
Email: grant.walker@jud.ca.gov

2.1.2 Disposition of Material and Confidential or Proprietary Information

a. All materials submitted in response to the solicitation document will become the property of the AOC and will be returned only at the AOC's option and at the expense of the vendor submitting the proposal. One copy of a submitted proposal will be retained for official files and become a public record. **Any material that a vendor considers as confidential but does not meet the disclosure exemption requirements of the California Public Records Act should not be included in the vendor's proposal as it may be made available to the public.**

b. The AOC's policy is to follow the intent of the California Public Records Act (PRA). If a vendor'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 the PRA, then that information will not be disclosed pursuant to a written request for public documents. If the AOC does not consider such material to be exempt from disclosure under the PRA, the material will be made available to the public, regardless of the notation or markings. If a vendor is unsure if its confidential and/or proprietary material meets the disclosure exemption requirements of the PRA, then it should not include such information in its proposal.

2.1.3 Proposal Preparation Costs

Vendors submitting proposals do so entirely at their expense. There is no express or implied obligation by the AOC to reimburse a vendor for any costs incurred in preparing or submitting proposals, providing additional information when requested by the AOC, participating in any selection interviews or product demonstrations, or participating in this procurement.

2.2 Pre-Proposal Conference

A. A pre-proposal conference is required. The AOC will notify all potential proposers of the time, date, and location by posting a notice on its Courtinfo website, noted in Section 2.1. **Attendance at the pre-proposal conference is mandatory in order for a vendor to be considered for the services anticipated by this RFP.**

B. A Letter of Intent from a pre-proposal conference participant must be sent by email to the **Submittal Contact** at the address listed in Section 2.1.1 by the date and time set forth in the Courtinfo website notice indicating the number of individuals (of consultant and its subcontractors, if any) who plan on attending the pre-proposal conference. The AOC will prepare a summary of questions and answers from the pre-proposal conference, as an addenda to the RFP, which will be posted on the Courtinfo website.

C. In the event a potential proposer is unable to attend the pre-proposal conference, an authorized representative may attend on their behalf. The representative may only sign-in for one consultant. Proposals from vendors who did not attend the pre-proposal conference, or were not represented by an authorized representative at the pre-proposal conference, will not be accepted and will be returned unopened.

2.3 Pre-Submittal Process

2.3.1 Request for Clarifications or Modifications

a. Vendors interested in responding to the solicitation may submit questions on procedural matters related to the RFP or requests for clarification or modification of this solicitation document, including questions regarding the General Conditions in Section V, to the **Submittal Contact**. If the vendor is requesting a change, the request must set forth the recommended change and the vendor's reasons for proposing the change. All questions and requests must be submitted in writing (email is authorized) to the **Submittal Contact** listed in Section 2.1.1 no later than the date specified in Section 2.1, Procurement Schedule and General Instructions. Questions or requests submitted after the due date will not be answered.

b. Without disclosing the source of the question or request, the **Contracting Officer** will post a copy of the questions and the AOC's responses on the Courtinfo website.

c. If a vendor's question relates to a proprietary aspect of its proposal and the question would expose proprietary information if disclosed to competitors, the vendor may submit the question in writing, conspicuously marking it as "CONFIDENTIAL." With the question, the vendor must submit a statement explaining why the question is sensitive. If the AOC concurs that the disclosure of the question or answer would expose proprietary information, the question will be answered, and both the question and answer will be kept in confidence. If the AOC does not concur regarding the proprietary nature of the question, the question will not be answered in this manner and the vendor will be notified.

2.3.2 Ambiguity, Discrepancies, Omissions

a. If a vendor submitting a proposal discovers any ambiguity, conflict, discrepancy, omission, or other error in this solicitation document, the vendor shall immediately provide the **Contracting Officer** listed in Section 2.1 written notice of the problem and request that the solicitation document be clarified or modified. Without disclosing the source of the request, the AOC may modify the solicitation document prior to the date fixed for submission of proposals by posting the addendum on the Courtinfo website.

b. If prior to the date fixed for submission of proposals a vendor submitting a proposal knows of or should have known of an error in the solicitation document but fails to notify the AOC of the error, the vendor shall propose at its own risk, and if the vendor is awarded the contract, the vendor shall not be entitled to additional compensation or time by reason of the error or its later correction.

c. Written notification of any ambiguity, conflict, discrepancy, omission, or other error in this solicitation document submitted after the Proposal Due Date will not be responded to by the AOC.

2.3.3 Contact with Judicial Branch Entities

Vendors are specifically directed **NOT** to contact any Judicial Branch Entity personnel or JBE-contracted consultants for meetings, conferences, or discussions that are specifically related to this RFP at any time prior to any award and execution of a contract. Unauthorized contact with any Judicial Branch Entity personnel or JBE-contracted consultants may be cause for rejection of the vendor's proposal.

2.3.4 RFP Addenda

a. The AOC may modify the solicitation document prior to the date fixed for submission of proposals by posting an addendum on the Courtinfo website. If any potential vendor determines that the addendum unnecessarily restricts its ability to propose, it must notify the **Contracting Officer** listed in Section 2.1.1 no later than three (3) business days following the date the addendum is posted on the AOC's website.

b. Proposer's proposal, including prices/costs offered, shall reflect the requirements of the RFP including all addenda issued by the AOC. Failure to do so will permit the AOC to interpret the proposal to include all addenda issued in any resulting contract.

2.4 Submission of Proposals

2.4.1 Proposal Delivery

a. One unbound original of the technical and cost proposal, plus seven bound hard copies of the technical and cost proposal, one electronic format copy on CD-ROM of the technical proposal (*not copy protected*) in MS Word or PDF format, and one electronic formatted copy on a separate CD-ROM of the cost proposal in MS Excel (*not copy protected*) must be received no later than the Proposal Due Date and time specified in Section 2.1 (the "Proposal Closing Time") at the address listed in Section 2.1.1 for the **Submittal Contact**. All proposals must be submitted in double envelopes that are sealed. The outside envelope must be clearly marked with the RFP Number, Project Title, the Proposal Due Date, and the proposer's name. **The Cost Proposal Sheets (Attachment D), both hardcopy and electronic formats, must be included in the proposal in a separately sealed envelope and should be marked with "Cost Proposal" and the proposer's name.**

b. **The hard copies and electronic copies of the technical proposal must not include any pricing information.** Proposals received prior to the Proposal Closing Time that are marked properly will be securely kept, unopened until the Proposal Closing Time. Late proposals will not be considered.

c. All proposals must be delivered via U.S. Mail, common carrier, overnight delivery service (with proof of delivery), or hand delivery. A receipt should be requested for hand delivered material. **Submittal of proposals by facsimile or email transmission is not acceptable, and any proposal so transmitted will be rejected as non-responsive.**

d. The proposer is solely responsible for ensuring that the full proposal is received by the AOC in accordance with the solicitation requirements, prior to the date and time specified in the solicitation, and at the place specified. The AOC shall not be responsible for any delays in mail or by common carriers or by transmission errors or delays or missed delivery.

2.4.2 Amendment or Withdrawal of Proposals

a. A vendor may amend its proposal prior to the Proposal Closing Time. All amendments must be in writing and received by the AOC prior to the Proposal Closing Time. Amended proposals must comply with all proposal submission requirements set forth herein. In addition, both inner and outer sealed envelopes must be prominently marked "Amended Proposal." In the event a vendor submits an amended proposal prior to the Proposal Closing Time, the vendor's original proposal will be returned to the vendor unopened, and will not be considered for evaluation. Amended proposals received after the Proposal Closing Time will not be considered.

b. A vendor may withdraw its proposal at any time prior to the Proposal Closing Time by notifying the **Submittal Contact** listed in Section 2.1.1 in writing of its withdrawal (email is not authorized).

c. Amendments or withdrawals offered in any other manner, oral or written, will not be considered. Proposals cannot be amended or withdrawn after the Proposal Closing Time.

2.4.3 Mistake in Proposal

If prior to a contract award, a proposer discovers a mistake in their proposal that renders the proposer unwilling to perform under any resulting contract, the proposer must immediately notify the **Contracting Officer** listed in Section 2.1.1 in writing and request to withdraw the proposal. It shall be solely within the AOC's discretion as to whether withdrawal will be permitted.

2.4.4 Error in Submitted Proposals

a. If an error is discovered in a vendor's proposal, the AOC may at its sole option retain the proposal and allow the proposer to submit certain arithmetic corrections. The AOC may, at its sole option, allow the proposer to correct obvious clerical errors. In determining if a correction will be allowed, the AOC will consider the conformance of the proposal to the format and content required by the solicitation, the significance and magnitude of the correction, and any unusual complexity of the format and content required by the solicitation.

b. If the proposer's intent is clearly established based on review of the complete proposal submitted, the AOC may, at its sole option, allow the proposer to correct an error based on that established intent.

2.4.5 Authorized Signatures, Validity Period of Proposals

a. Proposals must include the vendor name, address, telephone and facsimile numbers, and federal tax identification number. The proposal must be signed by a duly authorized officer or employee of the vendor and include the name, title, address, telephone number, and email address of the individual who is the proposer's designated representative.

b. Proposals will be valid for one hundred-twenty (120) days after the Proposal Due Date specified in Section 2.1 ("Proposal Validity Date"). In the event a final contract has not been awarded by the date specified in Section 2.1, the AOC reserves the right to negotiate extensions to the Proposal Validity Date.

2.4.6 Knowledge of Requirements

a. The vendor shall carefully review the solicitation documents, and all documents referenced and made a part of the solicitation document to ensure that all information required to properly respond has been submitted or made available and all requirements are priced in the proposal. Failure to examine any document, drawing, specification, or instruction will be at the proposer's sole risk.

b. Proposers shall be responsible for knowledge of all items and conditions contained in their proposals and in this RFP, including any AOC issued clarifications, modifications, amendments, or addenda. The AOC will post addenda and clarifications to the Courtinfo website; however, it is the proposer's responsibility to ascertain that its proposal includes all addenda issued prior to the Proposal Due Date.

2.4.7 Independence of Proposal and Joint Proposals

a. Unless a proposer is submitting a joint proposal, the proposer represents and warrants that by submitting its proposal it did not conspire with any other vendor to set prices in violation of anti-trust laws.

b. A proposal submitted by two or more vendors participating jointly in one proposal may be submitted, but one vendor must be identified as the prime contractor and the other as the subcontractor. The AOC assumes no responsibility or obligation for the division of payments, authorized expenses if allowed by the subsequent contract, or responsibilities among joint contractors.

2.4.8 Covenant Against Gratuities

Proposer warrants by signing its proposal that no gratuities, in the form of entertainment, gifts, or otherwise, were offered by the proposer or any agent, director, or representative of the proposer, to any officer, official, agent, or employee of any Judicial Branch Entity with a view toward securing award of or securing favorable treatment with respect to any determinations concerning the performance of any resulting contract. For breach or violation of this warranty, the AOC will have the right to terminate any resulting contract in whole or in part. The right and remedies of the AOC provided in this provision shall not be exclusive and are in addition to any other rights and remedies provided by law or under the resulting contract.

2.5 Overview of Evaluation Process

2.5.1 Evaluation Committee

a. The AOC will conduct a comprehensive, fair, and impartial evaluation of proposals received in response to this RFP. All proposals received from vendors will be reviewed and evaluated by a committee of qualified personnel (“Evaluation Committee”). The name, units, or experience of the individual members will not be made available to any vendor. The Evaluation Committee will first review and screen all proposals submitted, except for the cost proposals, according to the minimum qualifications set forth in Section 2.6.

b. Proposals received from vendors satisfying the minimum qualifications will then be evaluated in accordance with the evaluation criteria set forth in Section 2.7. The Evaluation Committee will first review and complete the evaluation of the technical proposals, without the cost proposal. Thereafter, the cost proposals will be opened, reviewed, and evaluated to determine an overall evaluation score.

2.5.2 Reservation of Rights

a. The AOC, in its complete discretion, may eliminate proposals that have not met the minimum qualifications of Section 2.6, or have not scored adequately in relation to other proposals to warrant further consideration. The AOC reserves the right to reject any or all proposals, in whole or in part, and may or may not waive any immaterial deviation or defect in a proposal. The AOC’s waiver of an immaterial deviation or defect shall in no way modify the solicitation document or excuse a vendor from full compliance with solicitation document specifications.

b. If a proposal fails to meet a material solicitation document requirement, the proposal may be rejected. A deviation is material to the extent that a

response is not in substantial accord with the requirements of the solicitation document. Material deviations cannot be waived.

c. The AOC reserves the right to negotiate with proposers who have presented, in the opinion of the Evaluation Committee, the best proposal in an attempt to reach an agreement. If no agreement is reached, the AOC can negotiate with other proposers or make no award under this RFP. At any time the Evaluation Committee can reject all proposals and make no award under this RFP. Moreover, the AOC reserves the right to reconsider any proposal submitted at any phase of the procurement. It also reserves the right to meet with vendors to gather additional information.

d. Proposals that contain false or misleading statements may be rejected if in the AOC's opinion the information was intended to mislead the AOC regarding a requirement of the solicitation document.

2.5.3 Evaluation of Cost Proposal Sheets

Cost proposal sheets will be reviewed only if a proposal is determined to be otherwise qualified. All figures entered on the cost proposal sheets must be clearly legible and must be printed in ink or type written. No erasures are permitted. Errors may be crossed out and corrections printed in ink or typewritten adjacent and must be initialed in ink by the person signing the proposal. If the solicitation requires the proposer to provide an electronic copy of the cost proposal sheets and there is a discrepancy in the printed cost proposal sheets and the electronic copy, the pricing on the printed cost proposal sheets will be evaluated.

2.5.4 Requests for Additional Information

The AOC reserves the right to seek clarification or additional information from any proposer throughout the solicitation process. The AOC may require a proposer's representative to answer questions during the evaluation process with regard to the vendor's proposal. Failure of a proposer to demonstrate that the claims made in its proposal are in fact true may be sufficient cause for deeming a proposal non-responsive.

2.6 Minimum Qualifications

A. To be considered for full evaluation and possible award, proposers must first meet the threshold minimum qualification requirements listed in the following table (minimum requirements can be met by combining experience, expertise, and resources of vendor and any proposed subcontractors):

No.	Minimum Qualifications
1	Three (3) or more years experience working with government entities / public sector / judicial branch customers.
2	Vendor has completed at least two (2) projects of similar size and scope anticipated by this RFP in the past two (2) years
3	Neither vendor nor any of its proposed subcontractors are currently under suspension or debarment by any state or federal government agency and neither vendor nor any of its proposed subcontractors are tax delinquent with the State of California or Federal Government (reference <u>Attachment C</u> , Vendor Certification Form).

B. The proposer must state specifically in its Executive Summary (see Section 3.1) how it meets or complies with each minimum qualification specified in Section 2.6.A, above. Subject to the AOC's right, in its sole and complete discretion, to waive minor deviations or defects, only those proposals that meet all of the foregoing minimum qualifications shall be considered for a full evaluation and a possible contract award.

2.7 Evaluation Criteria

Proposals will be evaluated to determine the proposal that offers the best value to the AOC and the Judicial Branch Entities. The evaluation will be based upon the following criteria, listed in order of descending priority. Although some factors are weighted more than others, all are considered necessary, and a proposal must be technically acceptable in each area to be eligible for award.

- a. Quality of work plan submitted / Approach to assignment
- b. Vendor's experience on similar assignments
- c. Demonstrated understanding of complexity of issues in the government / public sector / judicial branch
- d. Credentials of the specific staff (Contractor's Key Personnel) to be assigned to the project
- e. Ability to meet timing requirements of the project
- f. Reasonableness of cost proposal; and,
- g. References

2.8 Interviews and Negotiations

2.8.1 Interviews

Following the initial screening of proposals, the AOC reserves the right to require, and each proposer must be prepared to conduct, oral presentations and other discussions (written or verbal) on the content of its proposal. If the AOC determines that interviews or presentations are required, selected proposers will be notified in writing of the date, place, time and format of the interview or presentation. Proposers will be responsible for all costs related to the interview, which, at the AOC's sole discretion, may be in-person and/or by teleconference. If selected to participate in an interview or presentation, a proposer's failure to participate in such interviews or presentations shall result in a proposer's disqualification from further consideration.

2.8.2 Negotiations

If the AOC desires to enter into negotiations, they will do so with one or more proposers, at the AOC's sole discretion. If the AOC enters into negotiations and no agreement is reached, the AOC can negotiate with the other proposers or make no award under this RFP. The AOC reserves the right to award a contract, if any, without negotiations.

2.8.3 Payment

Payment terms will be specified in any contract that may ensue as a result of this solicitation document. **THE JUDICIAL COUNCIL DOES NOT MAKE ANY ADVANCE PAYMENT FOR GOODS OR SERVICES.** Payment for the services anticipated by this RFP will be on cost reimbursement basis, up to a specified not to exceed amount, inclusive of all authorized expenses, and will be made based upon completion of tasks, or the acceptance of deliverables, as provided in the agreement between the AOC and any selected vendor.

2.9 Award of Contract

The Evaluation Committee will make a final recommendation for award of the contract to the Contracting Officer. The Contracting Officer will subsequently issue an Award letter to the successful proposer, and Non-Award letters to all unsuccessful proposers. Upon award, the successful proposer will be required to execute a standard state contract.

2.9.1 News Releases

News releases pertaining to the award of any contract resulting from this solicitation may not be made by a vendor without the prior written approval of the Business Services Manager noted in Section 2.1.1.

2.10 Protest Procedures

Failure of a vendor to comply with the protest procedures set forth in this Section 2.10, will render a protest inadequate and non-responsive, and will result in rejection of the protest.

2.10.1 Prior to Submission of Proposal

An interested party that is an actual or prospective proposer with a direct economic interest in the procurement may file a protest based on allegedly restrictive or defective specifications or other improprieties in the solicitation process that are apparent, or should have been reasonably discovered prior to the submission of a proposal. Such protest must be received prior to the Proposal Closing Time. The protestor shall have exhausted all administrative remedies, such as those specified in Section 2.3.1, Request for Clarification or Modifications; Section 2.3.2, Ambiguity, Discrepancies, Omissions; and Section 2.3.4, RFP Addenda, as applicable, prior to submitting the protest. Failure to do so may be grounds for denying the protest.

2.10.2 After Award

A vendor submitting a proposal may protest the award based on allegations of improprieties occurring during the proposal evaluation or award period if it meets all of the following conditions:

- a. The vendor has submitted a proposal that it believes to be responsive to the solicitation document;
- b. The vendor believes that its proposal meets the administrative and technical requirements of the solicitation, proposes services of proven quality and performance, and offers a competitive cost; and,
- c. The vendor believes that the AOC has incorrectly selected another vendor submitting a proposal for an award.

Protests must be received no later than five (5) business days after the protesting party receives a Non-Award letter.

2.10.3 Form of Protest

A vendor who is qualified to protest should submit the protest to the Contracting Officer at the address noted in Section 2.1.1.

- a. The protest must be in writing and sent by certified, or registered mail, or **overnight delivery service (with proof of delivery)**, or delivered personally to the address noted above. If the protest is hand-delivered, a receipt must be requested.
- b. The protest shall include the name, address, telephone and facsimile numbers, and email address of the party protesting or their representative.
- c. The title of the solicitation document under which the protest is submitted shall be included.
- d. A detailed description of the specific legal and factual grounds of protest and any supporting documentation shall be included.
- e. The specific ruling or relief requested must be stated.

The AOC, at its discretion, may make a decision regarding the protest without requesting further information or documents from the protestor. Therefore, the initial protest submittal must include all grounds for the protest and all evidence available at the time the protest is submitted. If the protestor later raises new grounds or evidence that was not included in the initial protest but which could have been raised at that time, the AOC will not consider such new grounds or new evidence.

2.10.4 Determination of Protest Submitted Prior to Submission of Proposal

Upon receipt of a timely and proper protest based on allegedly restrictive or defective specifications or other improprieties in the solicitation process that are apparent, or should have been reasonably discovered prior to the submission of a proposal, the AOC will provide a written determination to the protestor prior to the Proposal Closing Time. If required, the AOC may extend the Proposal Closing Time to allow for a reasonable time to review the protest. If the protesting party elects to appeal the decision, the protesting party will follow the appeals process outlined below and the AOC, at its sole discretion, may elect to withhold the contract award until the protest is resolved or denied or proceed with the award and implementation of the contract.

2.10.5 Determination of Protest Submitted After Submission of Proposal

Upon receipt of a timely and proper protest, the AOC will investigate the protest and will provide a written response to the vendor within a reasonable time. If the AOC requires additional time to review the protest and is not able to provide a response within ten (10) business days, the AOC will notify the vendor. If the protesting party elects to appeal the decision, the protesting party will follow the appeals process outlined below. The AOC, at its sole discretion, may elect to withhold the contract award until the protest is resolved or denied or proceed with the award and implementation of the agreement.

2.10.6 Appeals Process

The Contracting Officer's decision shall be considered the final action by the AOC unless the protesting party thereafter seeks an appeal of the decision by filing a request for appeal with the AOC's Business Services Manager noted in Section 2.1.1 within five (5) calendar days of the issuance of the Contracting Officer's decision. The justification for appeal is specifically limited to:

- a. Facts and/or information related to the protest, as previously submitted, that were not available at the time the protest was originally submitted;
- b. The Contracting Officer's decision contained errors of fact, and that such errors of fact were significant and material factors in the Contracting Officer's decision; or
- c. The decision of the Contracting Officer was in error of law or regulation.

The vendor's request for appeal shall include:

- a. The name, address telephone and facsimile numbers, and email address of the vendor filing the appeal or their representative;
- b. A copy of the Contracting Officer's decision;
- c. The legal and factual basis for the appeal; and
- d. The ruling or relief requested. Issues that could have been raised earlier will not be considered on appeal.

Upon receipt of a request for appeal, the AOC's Business Services Manager will review the request and the decision of the Contracting Officer and shall issue a final determination. The decision of the AOC's Business Services Manager shall constitute the final action of the AOC.

2.10.7 Protest Remedies

If the protest is upheld, the AOC will consider all circumstances surrounding the procurement in its decision for a fair and reasonable remedy, including the seriousness of the procurement deficiency, the degree of prejudice to the protesting party or to the integrity of the competitive procurement system, the good faith efforts of the parties, the extent of performance, the cost to the AOC and the Judicial Branch Entities, the urgency of the procurement, and the impact of the recommendation(s) on the AOC and the Judicial Branch Entities. The AOC may recommend any combination of the following remedies:

- a. Terminate the contract for convenience;
- b. Re-solicit the requirement;
- c. Issue a new solicitation;
- d. Refrain from exercising options to extend the term under the contract, if applicable;
- e. Award a contract consistent with statute or regulation; or
- f. Other such remedies as may be required to promote compliance.

III. PROPOSAL FORMAT AND CONTENT

A. Responsive proposals should provide straightforward, concise information that satisfies the requirements of this solicitation. Expensive bindings, color displays, and the like are not necessary or desired. Emphasis **must** be placed on conformity to the AOC's instructions, requirements of this solicitation, and the completeness and clarity of content.

B. In order to ensure that all proposals receive a fair and accurate evaluation, vendors must ensure that each element of their submitted proposal is keyed to, and contains the appropriate section reference from this RFP. *For example:*

Section 3.2. Company and Subcontractor Information

Subsection 3.2.1.a. Complete name and address.

*Response: ABC Company, Inc.
123 Main Street, Suite 890
Any Town, CA 91234-4321*

Subsection 3.2.1.b. Federal tax identification number.

Response: 99-1234567

Section 3.3. Company profile.

Response: ABC Company, Inc. is..., etc.

C. A Table of Contents must be provided which identifies all sections and major subsections of the vendor's proposal by page number. All exhibits and attachments must also be identified and referenced by page number.

D. Failure of the proposer to comply with the requirements set forth in this Section III may result in the proposal being deemed non-responsive to the RFP and being rejected.

3.1 Executive Summary

The proposer must provide an Executive Summary of its proposal. The Executive Summary should be a "high-level", general overview of how the vendor proposes to accomplish the requirements of this RFP. The Executive Summary should demonstrate the proposer's understanding of the issues. The proposer must also address in this section how it meets the minimum qualification requirements set forth in Section 2.6.

3.2 Company and Subcontractor Information

3.2.1 Company Background Information

The AOC requires the vendor to be a reputable company of strong financial standing and demonstrated expertise in the evaluation and review of government/public sector projects and programs. The vendor's proposal must provide the information requested below. If the proposer is a joint venture, or if any portion of the services will be provided by a subcontractor, information about the prime contractor and the subcontractor must be submitted separately. The information to be provided for the proposer/prime contractor is as follows:

- a. Complete name and address.
- b. Federal tax identification number.
- c. The type of legal business entity, and the state(s) where the business entity is authorized and licensed to do business. If incorporated, identify the state in which incorporated.
- d. Name, title, and address (including email address) of vendor's single point of contact
- e. A short narrative description of the vendor's organization, including organization charts and indication of company officers where applicable.
- f. Principal type of business.
- g. Total number of years in business.
- h. Number of years providing services similar in size and scope to those requested in this RFP.
- i. An audited profit and loss statement and balance sheet for the vendor's last three (3) fiscal years. If a company is privately owned, this information will be kept confidential by the AOC. These financial statements must be contained in a separate volume.
- j. Significant transactional events in the past three (3) years such as: bankruptcies, mergers, acquisitions, initial public offerings (IPOs).
- k. Annual contract value of the vendor's three (3) largest contracts for similar services in the past three (3) years.

- l. If subcontractors are proposed for this RFP, describe the vendor's contract management process for subcontractors included in the vendor's proposal.

3.2.2 Subcontractors

If subcontractors are proposed for this RFP, provide the following information for each subcontractor (Note: If any portion of the required services will be performed by a subsidiary, an affiliate, or a parent organization, those organizations must be considered subcontractors for the purpose of this RFP):

- a. Subcontractor name and address.
- b. Federal tax identification number.
- c. The type of legal business entity, and the state(s) where the business entity is authorized and licensed to do business. If incorporated, identify the state in which incorporated.
- d. A short narrative of the subcontractor's organization, including organization charts and indication of company officers where applicable.
- e. Principal type of business.
- f. Total number of years in business.
- g. Number of years providing services similar in size and scope to those requested in this RFP.
- h. Number of times in the previous two (2) years this subcontractor has been used as a subcontractor for providing services similar in scope to those requested in this RFP. Describe subcontractor's role for each engagement listed.

3.3 Company Profile

Vendor shall provide a short description of its company, including core competencies, and key staff and their background.

3.4 Qualifications, Experience and References

3.4.1 Qualifications and Experience

The AOC requires the vendor and any subcontractors to have prior experience in all aspects of the services relative to the size, complexity and scope of this RFP. Vendor shall:

- a. Provide a list of project staff the vendor proposes to use in providing the services, and the roles each of the staff will play.
- b. Provide resumes describing the background and experience of key staff, as well as each individual's ability and experience in conducting the proposed activities.
- c. Provide a list and description of projects completed during the past five (5) years that were similar in scope, complexity, content, and time frames to that identified in this RFP. Documentation of these projects must include:
 - (1) project title;
 - (2) description of work performed;
 - (3) dates for work performed;
 - (4) organization for which the work was performed; and,
 - (5) name, address (including email address), title and telephone number of each organization's project manager for the work performed.

3.4.2 References

Provide the names, addresses (including email address), and telephone numbers for a minimum of five (5) clients for whom the vendor has provided similar consulting services. The vendor should include a brief description of the scope of the services provided to the customer and the date and duration of the contract. The AOC may contact some or all of the references provided in order to determine the vendor's performance record. The AOC reserves the right to contact references other than those provided in the proposal and to use the information gained from them in the evaluation process.

3.4.3 Subcontractors

If the vendor intends to subcontract, describe the vendor's experience with each of the proposed subcontractors. For each proposed subcontractor provide the names, addresses, and telephone numbers for a minimum of three (3) client references, for products and services similar to those described in this RFP. The vendor should include a brief description of the scope of products and services provided to the customer and the duration of the contract.

3.5 Technical Approach and Methodology

3.5.1 Work Plan and Methodology

Vendor shall provide a detailed work plan that describes the methodologies the vendor intends use to complete the scope of services within the timeframe allowed for this project. Specifically, the vendor will break the project out into identifiable major tasks with component tasks and deliverables, and describe the technical approach and the methodology that will be used to address each task and provide the deliverables according to the work plan.

3.6 Cost Proposal

3.6.1 Cost Proposal Requirements

a. Vendors shall submit a detailed line item cost proposal showing total cost of services to be performed. Vendor **must** submit their cost proposal using the MS Excel workbook set forth in Attachment D, Cost Proposal Sheets.

b. It is important that vendors use the MS Excel workbook set forth as Attachment D of this RFP and NOT their own format. Please do NOT use “TBD” (to be determined) or any other similar annotation in the cells for cost estimates. The AOC is asking vendors to estimate costs for all categories of each initiative with the understanding that they may have to make supported assumptions. Significant assumptions should be identified and elaborated on within the worksheet labeled “Assumptions” of the Attachment D workbook. Further, should a vendor desire to provide an explanation of any element of their cost proposal, they should include such explanation(s) in a separate document included with their cost proposal submission and with such explanation(s) appropriately cross-referenced to the relevant worksheet.

c. The AOC will only reimburse travel expenses determined to be allowable in accordance with in Section 3.6.4. Reimbursement will be at the limits set forth in Section 3.6.4. It is not anticipated that travel will be required or necessary to any location other than the AOC offices in San Francisco, California.

D. The vendor may propose an alternative firm fixed rate for travel expenses that includes airfare, mileage, local transportation, lodging, meals, and incidentals for each specific destination.

3.6.2 Payment of Consulting Fees

Payment for the services anticipated by this RFP will be on a cost reimbursement basis, up to a specified fixed ceiling amount inclusive of all authorized

expenses, and will be made based upon completion of tasks or the acceptance of deliverables.

3.6.3 Taxes

The AOC is exempt from federal excise taxes and no payment will be made for any taxes levied on the vendor's or any subcontractor's employee's wages. The AOC will pay for any applicable State of California or local sales or use taxes on the products provided or the services rendered. Taxes shall be included as a separate line item on a vendor's invoice.

3.6.4 Allowable Expenses

a. Travel Expenses. The AOC will reimburse a contractor for the actual expenses incurred for reasonable and necessary transportation, meals, lodging, and other travel-related expenses required to perform the services set forth in this RFP up to the maximums listed in Section 3.6.4.B, below. To be eligible for reimbursement of authorized travel expenses, a contractor will be required to submit a written travel plan to the Project Manager prior to incurring any travel expenses, including the reason for the trip, number of persons traveling, types of expenses the contractor expects to incur and the estimated costs. Prior approval of the travel plan by the Project Manager will be required.

b. Reimbursement for Travel Expenses. The following constitutes the maximum limits the AOC will pay for authorized travel expenses:

- (1) For approved and necessary air transportation, the AOC will reimburse a contractor for the actual cost incurred, provided all air transportation is limited to coach fares and must be booked a minimum of fourteen (14) days prior to travel, unless the Project Manager agrees otherwise in writing.
- (2) For overnight travel, in accordance with the California Victim Compensation and Government Claims Board (formerly State Board of Control) guidelines, the State will reimburse the Contractor for actual meal and lodging expenses not to exceed **\$150.00** per day plus applicable taxes on lodging.
- (3) For necessary private vehicle ground transportation usage, the State will reimburse the Contractor up to **\$0.34** cents per mile.

3.7 Required Proposal Forms and Documents

3.7.1 Required Forms

The vendor **must** include the following appropriately completed and signed forms with their proposal:

- a. Cost Proposal – Attachment D (sealed in a separate envelope in accordance with Section 2.4.1)
- b. Statement of Acceptance of Terms or Exception to Terms and Conditions– Attachment B
- c. Vendor Certification Form – Attachment C

3.7.2 Acceptance of Terms

a. The vendor’s proposal must include a statement (Attachment B) as to whether the vendor accepts the General Conditions in Section V without changes or whether the vendor takes any exception to those terms. If exceptions are proposed, vendor must submit a “redlined” version of the term or condition showing all modifications (additions or deletions, or new provisions) proposed by the vendor. In addition, the vendor must provide an explanation as to why each individual modification is required. The significance of any proposed exception(s) to the General Conditions may be a factor in the evaluation of the vendor’s proposal.

b. Although the AOC will consider alternate language proposed by a vendor, the AOC will not be bound by proposed contract language received as part of a prospective vendor’s response. If the proposer requires that the AOC be bound by some or all of the vendor’s proposed contract language, the proposal may be considered non-responsive and may be rejected.

c. In the event the AOC enters into negotiations with a proposer, the AOC may decide to only negotiate those items included as exceptions on the proposer’s signed Attachment B. If during negotiations, the proposer raises issues that were not included in the proposer’s Attachment B submittal, the AOC may at the AOC’s sole discretion terminate the negotiations.

IV. SCOPE OF SERVICES

4.1 Background

A. As the policymaking body for California's state court system, the Judicial Council's Strategic Plan identifies the goals and policy directions of the California judicial system. These goals and objectives are based on values that are important to the effective administration of justice. They include:

- Equal access and equal ability to participate in court proceedings for all Californians;
- Appropriate accountability for the branch in terms of how justice is administered and resources utilized;
- Modernization of court management and administration to ensure that justice is administered in a timely, efficient, and effective manner; and
- Integration of technology into court operations to improve stakeholder access to and the reliability of information and data.

These goals have driven the significant statewide reforms and branchwide restructuring that have taken place in the judicial system during the past decade (in particular, the State Trial Court Funding Act of 1997; Trial Court Unification, 1998–2001; the Trial Court Employment Protection and Governance Act of 2000; and the Trial Court Facilities Act of 2002), and are continuing to guide all current and future undertakings.

B. The State Trial Court Funding Act of 1997 and subsequent legislation (referenced above), consolidated administrative responsibilities for courts within the judicial branch, and entrusted the judiciary, as an independent branch of government, with responsibility for the financial oversight of the trial courts. Prior to passage of the 1997 legislation, the trial courts had a bifurcated system in which they received the majority of their funding and all business and administrative services through their county administrative offices. Consistent with the goals of state trial court funding and the expectations of the legislative and executive branches, the Judicial Council is establishing a comprehensive administrative infrastructure at the state and local levels to provide appropriate accountability for the legally compliant, effective, and efficient use of resources for and by the courts; to provide the necessary information to support the council's and the courts' policymaking responsibilities; and to consistently and reliably provide the administrative tools and services to support day-to-day court operations.

C. Pursuant to the direction of the Judicial Council at its April 2002 meeting, the AOC, working with the trial courts, is developing and implementing strategies for

statewide administrative infrastructure initiatives in the areas of finance, information technology, human resources, facilities, and legal services for the trial courts. This collaborative approach is designed to improve the quality of justice in California by advancing statewide values for the judicial branch and consistency in court operations while maintaining decentralized court management. The initiatives, which are predicated on participation by all courts, have progressed to various stages of development or implementation.

The Judicial Council and the AOC recognize that the administrative and fiscal responsibilities of the courts have increased significantly as a result of trial court funding. The Council and the AOC are seeking to provide a statewide administrative infrastructure that allows the trial courts to most effectively and efficiently manage these responsibilities.

Further to its 2002 directive on administrative infrastructure development for the judicial branch, to avoid duplication of services and the unnecessary investment of time and other resources, the Judicial Council, at its February 2003 meeting, established the following policies:

- AOC staff shall provide periodic updates to courts on the development and implementation of statewide administrative services;
- Trial courts interested in pursuing an alternative to a statewide approach shall obtain the review and approval of the Administrative Director of the Courts before proceeding;
- Requests for new funding will not be approved when a statewide approach for delivering the service is available; and
- AOC staff shall make recommendations to the council to redirect funds no longer needed for delivery of an administrative service when a statewide approach is implemented; recommendations should provide options that support statewide services and permit reallocation of the savings to other unfunded mandates in the local court or, if none, to other trial courts.

D. Courts requested an expedited decision-making process to facilitate their ability to make effective local decisions that are consistent with state level decisions on the delivery of administrative services and limit the likelihood of expending unnecessary effort and expense to develop systems that will later be abandoned upon implementation of a statewide system.

E. The council has faced several major challenges in moving forward with its objectives:

- (1) When implementation of trial court funding began in 1998, the judicial branch lacked the administrative infrastructure to support court

operations statewide; resources were inadequate, policies and procedures had not been developed, and in many areas the necessary expertise and experience did not exist.

(2) At the local level, nearly every trial court system had been dependent on the counties to provide administrative services and support. A number of courts did develop an administrative infrastructure to support specific areas of court operations, but no trial court had developed a comprehensive infrastructure to fully support day-to-day operations. The level of infrastructure support differed from county to county and was highly dependent on a variety of factors, particularly the court's relationship with the county, specific interests or needs of the court, and available funding. The situation at the local level became more and more pronounced as counties began significantly increasing the cost of their administrative support or completely withdrawing their services from the courts.

(3) Both the executive and legislative branches have expressed a keen interest in the judicial branch's providing more accurate data relating to trial court operations and costs, which often is difficult to produce due to an overall lack of administrative infrastructure.

(4) Given the state's current fiscal difficulties, the judicial branch has been partially successful in obtaining resources to assist the trial courts in their transition from county-provided to state-provided administrative services and to promote fiscal management and accountability through these statewide administrative infrastructure initiatives. However, ongoing and long-term funding related to the administrative initiatives is still being addressed.

F. A February 2002 report by the Bureau of State Audits expressed support for the approach taken by the Judicial Council to address statewide administrative infrastructure issues, specifically for the fiscal accountability initiatives currently under way.

G. Working together, the trial courts and the AOC have made significant strides in the development of administrative infrastructure for which the Judicial Council has reviewed and approved funding in the following areas:

- (1) Trial Court Fiscal Accountability Initiatives
- (2) Trial Court Technology Initiatives
- (3) Human Resources Initiatives
- (4) Court Facilities Initiatives
- (5) Comprehensive Legal Services Initiatives

4.2 Required Consulting Services. The AOC is seeking a contractor to conduct a mid-course review, analysis, and evaluation (collectively referred to as the "Report") of current

and planned directions with regard to Judicial Council directives, objectives, and overarching strategies for the development and implementation of statewide administrative infrastructure initiatives for the judicial branch.

4.2.1 The vendor will be asked to meet with AOC and select service(s) users in San Francisco and review the existing AOC documentation for the identified Statewide Administrative Infrastructure Initiatives to gain perspective on said initiatives.

a. The proposed consultant services identified below are expected to be completed by **May 4, 2006**.

b. With respect to each of the five identified infrastructure initiatives, this study should provide an analysis and evaluation of the following considerations:

- (1) Is the initiative operationally effective in addressing (i) courts' administrative services needs, (ii) Judicial Council oversight needs, and (iii) AOC needs, in terms of being implementable in a way that can be maintained in a reliable and efficient manner?
- (2) Is the initiative as financially efficient as possible?
- (3) Are the risks of project failure and cost overruns understood and appropriately managed?
- (4) By maintaining or adjusting current approaches, will the initiative yield the benefits that the Judicial Council and the state are seeking for reliable, consistent, timely, and accurate information that can support day-to-day operations, planning, and accountability for California's court system?
- (5) Is further action or analysis is needed to clarify major goals and directions; provide guidance on the most effective use of resources; and facilitate the most timely implementation of solutions?

4.2.2 For each initiative, by title (finance, technology, human resources, facilities, legal), the report should address the following issues:

- (1) **Business Plan:** Are the administrative initiatives consistent with the Judicial Council's strategic plan and policy directives? Is there an integration strategy in place for associated initiatives? Are the risks associated with each initiative clearly identified?
- (2) **Progress Assessment:** How is the AOC progressing against the major objective(s) for this initiative?
- (3) **Implementation Strategy:** Do implementation strategies make sense from a business perspective? Is this operationally effective?

- (4) **Cost:** Do the cost projections make sense from a business perspective? Is this going to prove financially efficient?
- (5) **Timeframe:** Are timeframes realistic?
- (6) **Local v. Statewide Management:** Are all elements of these initiatives consistent with advancing a statewide system of fair and consistent justice? And, do all elements of this initiative support local day-to-day management of operations in a way that does not conflict with providing accountability and consistency with the statewide goals?
- (7) **Results/Benefits:** Will what is being attempted in each area yield the desired results that the Judicial Council and the state are seeking for reliable, consistent, timely, and accurate information that can support day-to-day operations, planning, and accountability for California's court system?
- (8) **Mid-Course Adjustments:** Is there anything that could or should be done differently in the implementation phase, based on new information, opportunities, or challenges that have come to light?
- (9) **Review Process:** Is an effective implementation process review in place, and how can it be improved and what can be done to promote constructive customer feedback?

4.2.3 In developing the requested responses to the above issues, consider the following specifics with regard to the different initiatives:

Finance:

- a. Pros and cons to decentralizing trial court accounting, financial, and human resource services operations to all three regional offices.
- b. Appropriate organizational structure and reporting relationship(s) for the audit program over time.
- c. Trial court perspective on centralized procurement master agreements for leveraging total resources.

Technology:

- a. Assuming that the AOC stays the course and completes implementation of these initiatives, how best to maintain and sustain up-to-date technology systems, e.g., build staff capacity or rely on consultants.

- b. Voluntary or mandatory requirement for the courts to use the Technology Center.

Human Resources:

- a. Clarity of HR priorities for AOC services to the courts, e.g., statewide workers' compensation program, recruitment services.
- b. Clarity of service delivery methods and support systems (direct, technical assistance, no assistance) for the decentralized labor system that we have.
- c. The AOC's ability to meet the HR needs of the trial courts while not overlooking the needs of the appellate courts.

Cross-Enterprise Approach:

- a. Effectiveness of the cross-enterprise approach for implementation of the Court Accounting and Reporting System (CARS), the Court Human Resource Information System (CHRIS), and Automated Data Processing (ADP).
- b. The case for voluntary or mandatory requirement for the courts to use these three systems.

Facilities:

- a. Feasibility of keeping the court facilities transition plan on track.
- b. Feasibility of sustaining future construction and maintenance based on the current financial model (of fees, county revenue, and a possible bond).
- c. In terms of the Computer-Aided Facilities Management (CAFM) initiative, the effectiveness of the approach and implementation to date, cost changes and contract management, and whether in-house IT staffing roles and numbers relative to the facility program staffing are industry norms.

Legal:

- a. Policy consistency in terms of the AOC as comprehensive provider of legal services to the trial courts v. use of local in-house trial court counsel.
- b. Effectiveness of the assignment of Office of the General Counsel attorneys to provide local service delivery through the regional offices.

4.2.4 Meet with AOC executives in San Francisco for a status conference during the week of **March 13, 2006**.

4.2.5 Meet with AOC executives in San Francisco to present the initial draft of the Report. Provide one (1) unbound and ten (10) bound hard copies and one (1) electronic copy of the initial draft in a mutually agreeable format to the Project Manager by **April 3, 2006**.

4.2.6 Finalize the Report.

4.2.7 Meet with AOC executives in San Francisco to present the final Report. Provide one (1) unbound and ten (10) bound hard copies and one (1) electronic copy of the Report in a mutually agreeable format to the Project Manager by **May 4, 2006**.

V. GENERAL CONDITIONS

The General Conditions are included in this solicitation document as Attachment A, Contract Terms and Conditions.

VI. ATTACHMENTS

Attachment A	Contract Terms & Conditions
Attachment B	Vendor's Acceptance of Terms or Exceptions to Contract Terms & Conditions
Attachment C	Vendor Certification Form
Attachment D	Cost Proposal Sheets
Attachment E	Administrative Infrastructure Initiatives Overview
Attachment F	Judicial Council of California Policy Directives

ATTACHMENT A
CONTRACT TERMS AND CONDITIONS

Please see MS Word document titled: *RFP EXEC-0501 Attachment A.doc*

**ATTACHMENT B
VENDOR'S ACCEPTANCE OF TERMS OR
EXCEPTIONS TO CONTRACT TERMS AND CONDITIONS**

(Mark the Appropriate Choice)

_____ **Vendor accepts the General Conditions in Section V without exception.**

OR

_____ **Vendor proposes the following exceptions to the General Conditions:**

NOTE: If exceptions are proposed, vendor must submit a "redlined" version of the term or condition showing all modifications (additions or deletions, or new provisions) proposed by the vendor. The vendor must also provide an explanation/rationale as to why each individual modification is required.

(List all exceptions)

Signature

Printed Name

Title

Date

**ATTACHMENT C
VENDOR CERTIFICATION FORM**

I certify that neither _____ (Proposer) nor any of its proposed subcontractors are currently under suspension or debarment by any state or federal government agency, and that neither Proposer nor any of its proposed subcontractors are tax delinquent with the State of California. I have listed all contracts with *state or federal* government customers during the *two* years preceding submission of this Proposal.

I acknowledge that if Proposer or any of its subcontractors subsequently are placed under suspension or debarment by a local, state or federal government entity, or if Proposer or any of its subcontractors subsequently become delinquent in California taxes, our Proposal may be disqualified.

Signature

Printed Name

Title

Date

VENDOR CERTIFICATION FORM (CONTINUED)

**List of all Contracts with *State or Federal* Government Customers
during the *Two* Years preceding Submission of this Proposal**

**ATTACHMENT D
COST PROPOSAL SHEETS**

Please see MS Excel spreadsheet titled: *RFP EXEC-0501 Attachment D.xls*

ATTACHMENT E
ADMINISTRATIVE INFRASTRUCTURE INITIATIVES OVERVIEW

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 - 4.1.2.B Court Management Systems
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- 4.1.3 Human Resources Initiatives**
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 - 4.1.3.D Trial Court Classification and Compensation Study/Program
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4.1.4 Cross-Enterprise Approach

4.1.5 Court Facilities Initiatives

- 4.1.5.A Transfer of Trial Court Facilities From County Responsibility to State Responsibility
- 4.1.5.B Funding and Financing of Trial Court Facility Construction
- 4.1.5.C Funding of Trial Court Facility Operations and Maintenance
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- 4.1.5.E Computer-Aided Facilities Management

4.1.6 Comprehensive Legal Services Initiatives

4.1.1 Trial Court Fiscal Accountability Initiatives. Prior to passage of the State Court Funding Act of 1997, trial courts either adhered to county accounting policies and procedures or, more commonly, were completely dependent on the counties to provide administrative support functions, including fiscal services. Now, however, many courts are faced with assuming the task of performing their own finance-related functions or finding third-party administrators to perform such essential administrative and fiscal functions as human resources, payroll, and accounting activities.

The AOC has developed and begun implementing several initiatives to promote statewide fiscal accountability. It has done this to provide a package of financial services to the trial courts as well as to satisfy the intent of Act. The initiatives are as follows:

- 4.1.1.A Statewide Trial Court Financial Systems;
- 4.1.1.B Internal Financial and Operational Audit Program; and
- 4.1.1.C Statewide Procurement Master Agreements.

4.1.1.A Statewide Trial Court Financial Systems

When the Trial Court Funding Act of 1997 went into effect on January 1, 1998, California's superior courts were operating with different, non-compatible accounting systems. As a result, many courts were unable to produce financial statements to fully comply with relevant statutes, rules, and regulations, including Generally Accepted Accounting Principles requirements.

In order to address the needs of the courts regarding accounting procedures, the AOC considered the following alternatives:

1. *Let the courts fend for themselves.*
2. *The trial court hub and spoke approach.*
3. *Outsource the accounting function.*
4. *The five-step approach.*

1. *Let the courts fend for themselves.*

Most courts could not afford the computer systems or personnel necessary to provide the accountability required by the State. The few courts that could afford the cost each would have had to invest in a tier-one accounting system. Potentially, each court would be on a different system, or even if the systems were the same, it would be unlikely that they would be configured in the same way. This approach would have left the trial court system with no accounting standardization, questionable accountability, reduced ability for the AOC to oversee the financial condition of the trial courts, and would have been cost prohibitive.

2. The trial court hub and spoke approach.

In this approach, smaller trial courts would have contracted out their accounting functions to larger courts. This methodology would have reduced some costs related to purchasing and configuration of accounting software. This option was initially considered, but rejected after an independent analysis indicated that many trial courts lacked sufficient or properly qualified staff to operate independently using this approach.

3. Outsource the accounting function

This approach would have been costly as the company providing the accounting functions would have all the costs of providing the same services as the AOC, in addition to an added profit margin. Further, expertise in governmental accounting and program budgeting is, for the most part, unavailable outside of governmental agencies and the reliability and accuracy of the financial data would remain questionable. This approach also would have required additional permanent staff to provide contract oversight. Finally, functional tasks, such as policy guidance, legislative analysis, and assistance with the Consolidated Annual Financial Report would have been largely unavailable.

4. The five-step approach

The final approach selected to implement a statewide judicial branch financial system included five steps: (1) creation of a trial court financial policies and procedures manual, (2) installation of a standardized statewide accounting software system (the Court Accounting and Reporting System), (3) establishment of an accounting processing center (renamed the Trial Court Accounting and Financial Services Unit), (4) establishment of a centralized treasury, and (5) establishment of an internal audit unit.

- *Trial Court Financial Policies and Procedures*

The Trial Court Financial Policies and Procedures Manual complies with Rule 6.707, which requires the AOC to establish the financial and accounting policies for California's 58 trial courts. The manual is intended to assist the trial courts in complying with statutory requirements and administrative policies and procedures for trial court fiscal management. The manual sets out a system of fundamental internal controls that enables the trial courts to monitor their use of public funds. The manual allows flexibility to trial court managers, without prescribing highly detailed procedures, by defining guidelines and boundaries within which the courts may conduct their fiscal operations.

- *Court Accounting and Reporting System*
The Court Accounting and Reporting System (CARS) was developed by the AOC for use by all 58 trial courts. The Superior Court of Stanislaus was the first court on CARS; all trial courts are expected to be on the system by July 2008.
- *Trial Court Accounting and Financial Services*
The AOC's Trial Court Accounting and Financial Services Unit is the central point of contact for trial courts using the Court Accounting and Reporting System (CARS). Services provided by the unit include: centralized procurement support, jury payment, accounting for payroll expenses, payment of vendor invoices, trust accounting review for compliance with the *Trial Court Financial Policies and Procedures Manual* and sound business practices, general ledger accounting, court liaison, and production of a standardized set of monthly, quarterly, and annual financial statements that comply with existing statutes, rules, and regulations, prepared in accordance with Generally Accepted Accounting Principles (GAAP).
- *Treasury System*
The centralized treasury system developed by the AOC for all 58 trial courts offers a broad spectrum of banking services to enable courts to maximize their return on investments by pooling invested funds on a statewide basis. Daily cash management and short-term investment strategies are included in the array of services offered by the statewide treasury function.

a. Initiative Description

The Trial Court Funding Act of 1997 (AB 233; Chapter 850, Statutes of 1997) consolidated all trial court funding in California and entrusted the judiciary, as an independent branch of government, with responsibility for the financial oversight of the trial courts. Prior to passage of this legislation, the trial courts had a bifurcated system in which they received the majority of their funding and all business and administrative services through their county administrative offices. The law allowed for a transition in which county-provided services could be extended until the courts were able to assume critical administrative functions.

Implementation of the statewide trial court financial system and centralized treasury enables the courts to produce a standardized set of monthly, quarterly, and annual financial statements that comply with existing statutes, rules, and regulations; provides professional accounting support that replaces and enhances the support previously provided by counties; supports consistent coding of expenditures for comparable data among the courts and for the courts as a whole; allows the Judicial Council to fulfill its requirement to provide financial oversight of the

courts as required by the Trial Court Funding Act; and provides courts with access to financial information to enable them to make business decisions in order to more efficiently and prudently operate their courts on a day-to-day basis.

b. Objectives(s)

The objectives of the statewide trial court financial system are to:

- Allow the courts to maintain control of their own expenditures while complying with policies, procedures, regulations, and other standardized processes.
- Facilitate accurate and timely financial information while allowing the trial courts to concentrate on their core responsibility of justice administration.
- Maximize investment opportunities and the timely use and disbursement of cash;
- Standardize accounting functions across all courts;
- Ensure uniformity of how financial records are maintained and reported;
- Provide consistency of data on a statewide basis; and
- Provide judicial partners with timely and comprehensive financial information on a regular and timely basis.

c. Basic Strategy for Development and Implementation

The technology platform for the statewide trial court financial system is SAP, an internationally recognized financial systems software solution. BearingPoint Consulting is the firm hired by the AOC to develop the SAP for use by the trial courts.

The statewide financial system implementation will enable the courts to produce a standardized set of monthly, quarterly, and annual financial statements that comply with existing statutes, rules, and regulations, prepared in accordance to GAAP. The AOC's Finance Division provides professional accounting and business services for the 20 courts on the system as of July 2005, and will continue to assist the courts with their financial needs after the implementation stage.

d. Timeframe

The deployment and implementation schedule began in 2002, with the last of 58 courts expected to be on the statewide trial court financial system and centralized treasury by July 2008.

e. Current Status

The *Trial Court Financial Policies and Procedures Manual* is in its fifth edition with changes and additions proposed and adopted on a regular business cycle.

The Court Accounting and Reporting System (CARS) is in full operation at 20 trial courts across the state, with three additional courts scheduled for implementation on October 1, 2005. Approximately 10 to 15 courts are expected to implement CARS each year through July 2008.

Basic banking services are currently available to the courts using the statewide financial system. The AOC Finance Division acquired the rights to use SAP's Cash Management and Treasury module when it purchased the software package for the installation of CARS.

The centralized Accounting and Financial Services Unit has been operational since the installation of the first court on CARS. Staffing and other resources for the unit will expand as new courts are using the statewide financial system. Staffing plans are available through fiscal year 2008–2009.

4.1.1.B Internal Financial and Operational Audit Program

a. Initiative Description

Establish a comprehensive statewide internal audit program (IAP) for the judicial branch.

b. Objectives(s)

Perform the following, as necessary, based on risk and other factors:

- Financial audits;
- Compliance audits;
- Performance audits;
- Contract audits; and
- Investigative audits.

The primary focus of the IAP will be on the compliance of the trial courts with the *Trial Court Financial Policies and Procedures Manual*, the

branchwide design and implementation of an effective internal control structure over financial reporting and the safeguarding of assets and funds, and establishment of branchwide internal controls to ensure compliance with laws and regulations.

c. Basic Strategy for Development and Implementation

Prior to the Trial Court Funding Act of 1997 (Act), counties had the responsibility for the bi-annual audit of county departments, which included the trial courts. The Act eliminated the county's responsibility with respect to the trial courts. In July 2001, the AOC established Internal Audit Services within the Finance Division to perform internal audits of the judicial branch.

The basic strategy to develop and implement the internal audit program included: (1) identification of the risk areas within the branch; (2) allocation of resources available to audit the risk areas on a timely basis; and (3) continual reassessment of risk areas and allocation of available resources.

d. Timeframe

Established in 2001, the IAP has involved the creation and development of a firm structure including a charter, standards, etc. The ability to complete the development and implementation of a fully functional IAP will be dependent on available resources.

e. Current Status

The initial and continued effort of the Internal Audit Services unit is in the audit of trial court operations and financial reports.

4.1.1.C Statewide Procurement Master Agreements

a. Initiative Description

Establish statewide procurement agreements that would allow courts to take advantage of the economies of scale associated with statewide purchasing.

b. Objective(s)

(1) Enable courts that may not have the resources to establish a procurement organization to benefit from leveraging the purchasing power of the judicial branch to achieve cost savings that would not be available to individual courts;

- (2) Provide equal terms and conditions and competitive pricing to all courts, regardless of the individual court size or geographical location; and
 - (3) Establish fully competitive statewide contracts that meet the procurement requirements of the *Trial Court Financial Policy and Procedures Manual*.
- c. Basic Strategy for Development and Implementation
Use best practices in procurement following the *Trial Court Financial Policy and Procedures Manual* to facilitate the solicitation and contract process.
- d. Timeframe
With the involvement of the AOC's Office of the General Counsel, the solicitation process, contract negotiations, and program management of the statewide procurement agreements will be an ongoing effort of the Business Services group in the Finance Division. The ability to complete individual statewide procurement agreements and effectively manage the statewide program that results from the agreement is dependent upon available resources.
- e. Current Status
Statewide procurement agreements for interim payroll services, copier paper, delivery services, binding equipment, and office supplies are in place. Solicitations and master agreements currently are pending for toner cartridges, copiers, law books, electronic legal research, case files, printed forms, print services, and other goods and services commonly used by the courts.

These statewide infrastructure initiatives provide the means for the trial courts to report uniform, consistent, and reliable financial information to enhance fiscal accountability throughout the California trial court system. These actions demonstrate that the judicial branch, a steward of finite public resources, continues to build trust and confidence in local communities by developing innovative, yet cost-effective, methods for delivering court administrative services.

4.1.2. Trial Court Technology Initiatives. In August 1998, the Judicial Council adopted the Strategic Plan for Court Technology developed by the council's Court Technology Advisory Committee. The plan identified technology planning as a necessary goal to "provide the tools to guide technology needs assessment and implementation in the judicial branch."

In January 2000, the Judicial Branch Technology Tactical Plan identified the problems that existed due to a lack of statewide coordination. While acknowledging that some courts had

technologically sophisticated systems that met their needs, communicated with justice partners, and met established statewide standards, the plan explained that many courts “have lacked the resources to address local needs, and nearly all have given scant, if any, attention to the needs beyond their immediate jurisdictions.” In addition, the plan recognized that it was not realistic for the state to continue to fund 58 different solutions to address common business requirements, and that the development of common systems statewide would provide more consistent and economical solutions.

In summer of 2001, in accordance with the Judicial Council’s objective of development and maintenance of strategic technology planning, the AOC Information Services (IS) Division laid out three phases for plan development:

1. Statewide Technology Models
2. Statewide Transition Strategies
3. Court Transition Plans

In February 2002, the IS Division created the Court Transition Planning Guide to provide a standard approach to developing Court Transition Plans during Phase 3. The approach included the following steps:

- Gathering or validating information about a court’s current technology model;
- Gathering or validating court profile information, and identifying and confirming court grouping recommendation;
- Identifying court case management system for the next generation of technology;
- Creating and identifying steps to road map for court implementation plans; and
- Identifying opportunities, risks, or gaps within a transition plan.

In accordance with the strategic, tactical, and transitional technology plans, the IS Division has developed solutions to the problem of disparate systems and has begun implementing solutions in partnership with the trial courts and private contractors. The major technology initiatives of the branch are:

- 4.1.2.A Infrastructure
- 4.1.2.B Court Management Systems
- 4.1.2.C Data Integration/Information Services Backbone

4.1.2.A Infrastructure

Sub-initiatives:

1. Technology Center
2. Information Technology Staffing
3. Information Technology Asset Management
4. Telecommunications

1. Technology Center

a. Sub-initiative Description

The Technology Center is a state-of-the art facility operated 24/7 by a private sector partner (Siemens Business Services) with expertise in all aspects of application and Internet infrastructure.

Since the enactment of state trial court funding, the transition from the county-based to the state-based infrastructure has been challenging. As county provided technology services have diminished or ceased, many trial courts have had to seek alternatives to county support. Furthermore, counties are often unable to meet the statewide reporting requirements due to constraints related to their systems for case management, financial accounting, and human resources.

In fiscal year 2002–2003, the AOC contracted with a private sector partner to establish the California Courts Technology Center. The Technology Center is capable of providing the 58 trial courts with services such as centralized application support for the statewide California Case Management System, the Court Accounting and Reporting System, jury applications, human resources applications, e-mail, helpdesk, telecommunication, network, and disaster recovery.

Courts are migrating to the Technology Center based on urgency as defined in a statewide assessment of each trial court's current technology environment, county relationship, and levels of service. AOC staff provide relationship management, oversight, and monitoring as trial courts migrate to the Technology Center.

b. Objective(s)

Enable the AOC to provide technology services that would otherwise be cost-prohibitive for many courts such as support for centralized applications, telecommunications, networking, helpdesk, e-mail, and disaster recovery.

c. Basic Strategy for Development and Implementation

A large company capable of supporting the 58 trial courts was selected to operate the Technology Center. The courts will migrate to the Technology Center based on a statewide assessment of their current technology environments, their own county relationships, and their levels of services.

d. Time Frame

Set-up of the Technology Center is complete.

e. Current Status

The Technology Center currently hosts 20 courts using the Court Accounting and Reporting System (CARS), 14 courts using certified interim case management systems, and six additional courts using interim CMS's for selected case types. The criminal and traffic module of the California Case Management System has also been installed at the Technology Center. Courts will continue to transition to the Technology Center by application.

2. Information Technology Staffing

a. Sub-initiative Description

Prior to receiving support from the state, many of the trial courts relied totally on county or other third parties for all information technology support. These courts, 22 of the state's 58 trial court systems, lacked any internal staff to support basic technology needs related to hardware, software, and application and routine systems support. Since technology staffing is an infrastructure requirement for ensuring adequate maintenance of the courts' technology, providing stable funding for this need is critical. In FY 2000–2001, the AOC provided funding for one, limited term technology generalist in each of the 22 trial courts that had no such support.

b. Objective

Provide funding for one technology staff position for each court that has none, to ensure a basic level of technology support staffing.

c. Basic strategy for development and implementation

The AOC identified courts that lacked technology support staff and drafted memoranda of understanding with those courts to provide funding for one staff person. Each fiscal year, the AOC IS Division surveys courts that receive the staff funding to see if they still require the funding.

d. Time Frame

Started in FY 2000–2001 and recurs with each fiscal year.

e. Current Status

18 courts continue to receive funds for staffing.

3. Information Technology Asset Management

a. Sub-initiative description

Support replacement of old technology with new technology and support updates to software licenses.

Prior to the Trial Court Funding Act, most courts were dependent upon county information technology departments for technology services and procurement. The judicial branch had no occasion to implement branchwide technology equipment standards, leverage technology resources, coordinate large-scale system procurement efforts, or ensure that all courts had the basic technology tools to manage court operations. When courts started to separate from their counties and rely on the state for information technology, the AOC had the opportunity to address asset management branchwide.

For hardware, the AOC has inventoried court equipment including acquisition date and remaining lifecycle, and replaced obsolete servers, desktop computers, and printers. Due to budget constraints, the IS Division has not been able to adopt an industry standard three- or four-year equipment replacement cycle for the branch.

Concurrent with the inability to upgrade desktop equipment while reliant on their counties, many courts had not maintained current versions or updated software licenses for standard desktop software packages (e.g., word processing, spreadsheet, and database applications). The AOC has upgraded software and required user licenses to ensure that vendors support the software, the software is compatible with the network operating system, and integrated with related software packages and applications.

b. Objective

Ensure that all courts have the basic technology tools to manage court operations, implement branchwide technology equipment standards, and leverage technology resources.

c. Basic strategy for development and implementation

The AOC evaluated and inventoried courts' technology assets and adopted equipment replacement cycles and routine upgrades of software and user licenses.

- d. Time Frame
Funding for hardware and software assets is distributed to the courts each fiscal year.
- e. Current Status
The AOC distributes approximately \$7.4 million each year for asset management purposes.

4. Telecommunications

- a. Sub-initiative Description
The telecommunications project creates a robust and standardized Local Area Network/Wide Area Network (LAN/WAN) architecture and infrastructure for the judicial branch and addresses cabling, network hardware and software, circuits, network security, and training.

In the past, trial courts built infrastructures that supported their individual missions and budgets. These independent efforts produced a variety of locally effective solutions, which resulted in a proliferation of communications networks. Many courts and their networks were in close proximity, but in some cases are completely isolated or have minimal integration and interoperability. Due to this situation, the Judicial Council directed the AOC to develop and implement a comprehensive information infrastructure to support the trial courts.

- b. Objective
Provide complete and timely access to information through a network built on architecture and standards that provides interconnectivity, access to information, and security/management tools.
- c. Basic strategy for development and implementation
The AOC and the courts formed the Telecom User Group to address the upgrading of the courts' infrastructures and communication tools. Partnering with SBC Datacomm to identify court telecommunications needs and develop standards, the Telecom User Group and SBC Datacomm adopted a regional approach for implementation.
- d. Time Frame
Began in 2002 and continues today.

e. Current Status

To date, 43 courts have completed telecommunications upgrades in support of the technology infrastructure set forth by the Judicial Council; 10 additional courts are in the process of either preplanning, assessment and design, or implementation for upgrades; and five courts are not participating.

4.1.2.B**Court Management Systems**

Sub-initiatives:

1. Case Management Systems
2. Fiscal Management System
3. Jury Management Systems
4. Court Human Resource Information System

1.A. Case Management Systems – California Case Management System

a. Sub-initiative description

The California Case Management System (CCMS) is the statewide, integrated case management system (CMS) initiative designed to manage all case types for all California trial courts. CCMS will operate out of the California Courts Technology Center.

In support of the Judicial Branch's Strategic Plan for Court Technology and the Tactical Plan for Court Technology, the AOC conducted a survey to evaluate the current state of case management systems in the trial courts. The survey identified more than 70 system variations, many of which did not meet the basic needs of the courts. Meetings held between the Administrative Director of the Courts, the Chief Justice, and governors of two former administrations confirmed the need for the judicial branch to develop branchwide solutions since the state could not, and would not, support a different solution for each trial court. To address this need, the branch established a CMS certification program, which resulted in a set of minimum/baseline functional requirements.

After two and a half years, five vendors were barely able to pass, and those vendors neither had the scalable solutions nor the technical and financial resources to meet the branch's requirements over the long-term.

In order to address the needs of the courts regarding case management, the AOC considered the following alternatives:

1. *Do nothing.*
2. *Migrate Courts to certified CMS vendor systems.*
3. *Develop a statewide CMS.*

1. Do nothing.

In 2002, the AOC performed an analysis of the courts to understand the status of their CMSs in light of the certification program, their technical support, technology infrastructure, and other characteristics. The analysis concluded that all courts had critical CMS needs because of unstable systems, inadequate technical support, inability to meet legislative and reporting requirements, or significant ongoing support costs that were severe enough to warrant new systems.

2. Migrate courts to certified CMS vendor systems.

This strategy is being used for a limited number of primarily smaller courts with the most critical needs. As an example, ten courts are moving to the California version of their vendor product. This will enable them to maintain their viability until the California Case Management System (CCMS) is ready for deployment. The use of the certified CMS products as an interim measure also provides risk mitigation while the CCMS is being developed.

3. Develop a statewide CMS.

The analysis of the courts also concluded that a custom solution would be required for the large courts with multiple CMS applications with complex business procedures and interfaces. During this same timeframe, several large courts issued requests for proposals (RFPs) for CMS products. The RFPs were eventually rescinded as no vendor products could meet the large court needs. The courts in the Southern Region agreed to migrate to a common CMS solution and identified four courts in the region and the AOC's Southern Region Administrative Director to lead the effort.

In 2003, the Judicial Council approved a recommendation that the collaborative Southern Region effort would result in a statewide system, the California Case Management System (CCMS) that would functionally and technically meet the needs of all courts.

b. Objective

Provide a CMS that both functionally and technically meets the needs of all the courts.

c. Basic strategy for development and implementation

An incremental delivery approach is being used to manage the project to ensure that functionality is continuously delivered, and the risks of this

large, complex effort are mitigated. Deliverables include modules for Criminal and Traffic, Civil, Small Claims, and Probate; and Family and Juvenile case types.

d. Time Frame

The complete integration and deployment of all case types is anticipated to be completed for all 58 trial courts in fiscal year 2008–2009.

e. Current Status

Criminal and Traffic Module: This module was installed at the California Court Technology Center in July, 2004. Implementation in Alameda is under way; Orange, Fresno, San Luis Obispo, Marin, Solano, Soma and Butte Counties are in various stages of implementation planning.

Civil, Probate, and Small Claims Module: Development is under way and on schedule to be completed in October 2005. San Diego and Sacramento are beginning implementation planning.

Family Law, Juvenile, and Mental Health Module: Planning will begin in fall 2005.

1.B. Case Management Systems – Interim Solutions

a. Sub-initiative Description

Some courts are being moved to interim case management systems until they are able to migrate to the California Case Management System in the Technology Center.

b. Objective

Move courts with immediate CMS needs to a stable, interim environment until they are able to transition to CCMS in the Technology Center.

c. Basic strategy for development and implementation

Identify courts with urgent need for a stable CMS solution and move them to a solution until they can migrate to CCMS in the Technology Center.

d. Time Frame

By the end of fiscal year 2008–2009, the courts with interim solutions will be moved to CCMS.

e. Current Status

Fourteen courts have been moved to certified interim case management systems. Six additional courts have moved to interim systems for selected case types.).

2. Fiscal Management System – Court Accounting and Reporting System

(See Trial Court Fiscal Accountability Initiatives, Section 4.1.1)

3. Jury Management Systems

a. Sub-initiative Description

Provide funding to assist courts in improving the technology systems used for jury management.

Effective July 1, 1999, a rule of court requiring trial courts to make a transition to the one-day or one-trial system has significantly affected the needs for effective jury management systems. (Under the one-day or one-trial system, prospective jurors need appear for only one day unless they are selected for a trial.)

Two primary vendors of jury management system that are installed in California upgraded their systems to meet the requirements of the one-day or one-trial mandate. Considerable assistance has been provided to the trial courts to upgrade and enhance their systems to meet the requirements of one-day or one-trial legislation. To assist courts in upgrading and enhancing their jury management systems to accommodate the implementation of one-day or one-trial service, the AOC's IS Division has distributed over \$8 million from the Judicial Administration Efficiency and Modernization Fund. Benefits of this funding include compliance with one-day or one-trial; and Web and Interactive Voice Response upgrades to systems to accommodate citizens called for jury service.

b. Objective(s)

- Improved efficiency for the courts.
- Better service to jurors.

c. Basic strategy for development and implementation

Provide funding for courts to improve jury systems by adding functionality such as integrated voice response, web, and check-writing modules.

- d. Timeframe
Funding provided each fiscal year.
- e. Current status
Projects to implement integrated voice response (IVR) and Web access are ongoing in 16 California courts.

4. Court Human Resource Information System
(See *Human Resources Initiatives, Section 4.1.3*)

4.1.2.C Data Integration/Information Services Backbone

Sub-initiatives:

1. Data Exchange Standards
2. Information Services Backbone

1. Data Exchange Standards

- a. Sub-initiative Description
The AOC has coordinated two efforts to develop statewide data integration standards: (1) The Technical Standards for Data Exchange project, which developed data exchange standards for use with justice partners for the exchange of criminal forms and data; and (2) the Second Generation Electronic Filing Specification (2GEFS) project, which has developed draft specifications for the electronic filing and extracting of information.

In 2002, the AOC initiated both projects to simplify the processes for constructing and implementing integration tools and electronic filing systems. At that time, XML schema had been established as the standard for creating communication tools that allow the flexibility needed in complex technical environments. To take advantage of the benefits of XML schema, the federal Office of Justice Programs had initiated the creation of a Justice XML Data Dictionary (JXDD) to normalize the methods for electronically communicating criminal exchanges between law enforcement agencies. Because of its focus on criminal elements, JXDD provided a good basis for developing the Technical Standards for Data Exchange.

At the same time, the 2GEFS project was initiated to standardize how electronic filings for all case types would be handled. XML schema was also the basis for these specifications but since the JXDD does not meet the needs for all case types, 2GEFS were developed on a separate schema methodology that had been tested in the Georgia courts' electronic filing

system. The branch expects to reconcile these two methodologies by examining the lessons learned from each project.

b. Objective(s)

For the Technical Standards for Data Exchange project: Develop data exchange standards for use with justice partners for the exchange of criminal forms and data.

For the 2GEFS project: Develop draft specifications for the electronic filing and extracting of information.

c. Basic strategy for development and implementation

The Data Integration program is taking a branch-wide approach to court integration through development of standards and procurement of uniform integration tools to facilitate electronic exchange of information to/from courts; and to leverage best practices.

d. Timeframe

The Judicial Branch Data Dictionary and exchange standards for criminal and traffic began in 2002; public comment period for the second set of exchanges closed on June 30, 2005. The family/juvenile exchange specifications are expected to be made available for public comment by the end of calendar year 2005.

e. Current Status

The period for public comment on proposed specifications for criminal and traffic data exchanges closed June 30, 2005. Comments received are under review. The family and juvenile exchanges are currently in progress.

2. Integrated Services Backbone

a. Sub-initiative Description

The Integrated Services Backbone (ISB) is a middle-ware solution that will be a major element of the branch technology infrastructure, providing the software and associated services to support and manage automated information exchanges between branch applications and state and local agency applications, branch applications and the public, and applications within the branch.

In March 2005, the AOC signed a contract with a technology firm, TIBCO, for the provision, implementation, and initial deployment of the ISB. The project will be performed in three major phases: implementation of the proposed solution in a production environment in the Technology

Center, assistance in the initial deployment of the ISB solution to support a trial court's transition to the new case management system, and the design and recommendation for the organization, programs, and processes to operate, manage, and support the ISB solution, as well as deploy it across the trial courts, on a long-term basis. Training is included as well as support and maintenance for the ISB solution

b. Objective(s)

- Address the information technology diversity between the courts and their justice partners.
- Enable manageability and reuse.
- Provide efficient, cost effective, and scalable integration services.
- Meet both current and future needs.
- Streamline on-boarding of new applications, partners, and functionality.
- Standardize branch integration exchanges.

c. Timeframe

An RFP was released in April 2004 and a contract was signed in March 2005. Project phases expected to be complete by November 2005.

d. Basic strategy for development and implementation

A request for proposals was issued to find a private partner to develop the integrated services backbone and a contract was signed in March 2005. The implementation schedule is broken into three phases.

e. Current Status

Work is under way on all three phases of the project.

4.1.3 Human Resources Initiatives. Prior to the enactment of Senate Bill (SB) 2140, effective January 1, 2001, employees working for the trial courts were county employees and trial courts relied on counties to provide and perform human resource functions required of an employer. SB 2140 made the employees of the trial courts "court employees" and each trial court became an independent employer. Initially, courts continued to rely on counties to provide human resource functions but are now having to provide and perform the human resource functions themselves.

The AOC has begun several statewide initiatives to assist the trial courts in assuming these new human resources management functions.

4.1.3.A Trial Court Human Resources Needs Study

a. Initiative Description

The purpose of this study was to gain an understanding of the HR business requirements of all trial courts.

b. Objectives

Obtain the information needed to develop a plan for building a statewide judicial branch human resources management information system, (now known as the Courts Human Resource Information System (CHRIS)), and a HR infrastructure to support the courts' day-to-day operations, meet individual court requirements, and provide standardization for maintaining and reporting human resources data.

c. Basic Strategy for Development and Implementation

The project approach for the assessment study involved an audit of the trial courts' human resources functions, including their human resources information systems, infrastructure, and needs. Fifty-two (52) of the fifty-eight (58) courts participated in this study. The scope of this study included: Business, People and Culture, Organization, Process, Systems, and Infrastructure. Proposals from consulting firms were solicited and evaluated. Price Waterhouse Cooper (acquired by IBM) was selected to conduct the study.

d. Timeframe

In December 2002, an analysis was conducted of HR service delivery requirements across the 58 trial courts. The results of that analysis were presented to the trial courts in January 2003.

e. Current Status

The project was completed in January 2003. Additional studies were conducted to develop an implementation approach for some of the recommendations from this study.

4.1.3.B Court Human Resources Information System

a. Initiative Description

The Court Human Resource Information System (CHRIS) is the statewide human resources solution that will provide a technical HR solution and assist courts in the migration away from county-provided HR services.

The HR service delivery requirements study showed that complex combinations of software applications, outsourcing of payroll, and manual

paper processes are used to perform HR tracking and reporting in the trial courts.

The study concluded that industry standard practice would be to implement a single enterprise resource planning system that would include all HR modules such as personnel administration, organization management, time management, employee and managerial self-service, and reporting. Leveraging the SAP system implemented for finance administration will provide the integrated infrastructure allowing for centralized standard reporting such as position management. This will provide the AOC and the trial courts with the ability to manage and track the allocated budget and all positions, including those filled, vacant, and temporary. Current HR systems do not provide strategic data that would allow the AOC to analyze employee enrollment in the various benefit plans. This inhibits the branch's ability to negotiate vendor contracts, report to the legislature and the Governor, and perform internal administration duties.

To assist in the migration away from county-provided HR services, a statewide HR system must be developed to standardize the HR processes for the trial courts. The AOC does not have existing resources to implement and provide on-going support for such a system. If courts are unable to execute their HR obligations, they will be at risk for employee lawsuits or fines at the state and federal level. Consequently, this is a strategically critical project that needs to be undertaken immediately.

The study found that HR administration is performed by 64.4 percent of the current HR staff in at least 58 different ways. HR staff in many courts are performing HR transaction processing on manual forms provided to third parties, such as their county, or in spreadsheets to provide information to the benefits and payroll providers. Additionally, within the courts, multiple HR specific functional software applications are in use such as recruiting, training, and performance management.

An Enterprise Resource Planning approach will centralize all of these various functional applications into a single system that would significantly reduce the percentage of HR staff time spent conducting manual and duplicate transaction processing. A central software application utilized by all HR and court employees (in the case of self-service) will provide standard statewide processes and reporting. This will support legal and statutory reporting such as Equal Employment Opportunity reporting, Occupational Safety and Health Administration reporting, and Schedule 7A.

The SAP application is centrally managed via the Courts Technology Center utilizing the infrastructure created to support the trial court financial system. Leveraging this system for HR administration will significantly reduce costs of software, connectivity, helpdesk, and information system support at the trial court level.

b. Objective(s)

- Provide a statewide HR systems solution that includes all HR modules.
- Provide a standardized method of maintaining and reporting HR data.
- Assist in the migration away from county-provided HR services.
- Leverage the existing financial SAP system.

c. Basic Strategy for Development and Implementation

The CHRIS project team will be installing the SAP-HR software for the HR information system. The standard SAP “ASAP” implementation approach will be used to implement the statewide system. BearingPoint, Inc. was selected to support the implementation. By using the same software as the Court Accounting Reporting System, trial court data will be fully integrated to provide the AOC and trial courts with timely and accurate information to support trial court operations.

d. Timeframe

The project began in December 2004 and is projected to be implemented in the first court in January 2006. An implementation schedule is currently being developed in coordination with the Court Accounting Reporting System.

e. Current Status

A prototype is currently under development.

4.1.3.C Master Payroll Services Contract for the Trial Courts: Systems Upgrade

a. Initiative Description

Develop a master contract agreement with a third party payroll vendor to provide the trial courts with an alternative to county payroll processing capability.

b. Objective

Provide the trial courts with a payroll processing solution when these services are no longer provided by the respective counties. By developing a contract on a statewide basis, the individual and unique needs of the courts were met while leveraging a contract based on a larger statewide employee population.

- c. **Basic Strategy for Development and Implementation**
Following a definition of requirements and Request for Proposal process, a contract was signed with ADP.
- d. **Timeframe**
This project began in January 2002 and was completed with the signing of the first contract with ADP in August 2002.
- e. **Current Status**
The master agreement with ADP for payroll processing services is in place. To date, 22 courts are receiving payroll-processing services under this master contract agreement.

4.1.3.D Trial Court Classification and Compensation Study/Program

- a. **Initiative Description**
The Trial Court Classification and Compensation Study/Program was initiated to conduct a statewide trial court classification and compensation review and update the Uniform Model Classification Plan adopted by the Judicial Council in 2000.
- b. **Objective**
Ensure that the UMCP is complete and current.
Establish market-based salary ranges that may be used as a reference tool by the courts and other judicial branch organizations.
- c. **Basic Strategy for Development and Implementation**
Resources need to be identified and made available for the Uniform Model Classification Plan enhancement and update.

AOC HR compensation staff will review and update the trial court classification and compensation study salary ranges as needed.

- d. **Timeframes**
A timeframe has not yet been established for the Uniform Model Classification Plan update.

The statewide classification and compensation study covering lead-level classes and below was completed in 2002, augmented by a study of supervising classes and above in 2004, and the salary ranges for the complete study were updated in 2004.

e. Current Status

The timeframe and resources for the UMCP enhancement and update have not been identified.

The statewide classification and compensation review has been completed and was recently updated.

4.1.3.E Trial Court Benefits Study/Program

a. Initiative Description

The Trial Court Benefits Study/Program was initiated to research, design, and implement a statewide, multi-employer trial court employee benefits program.

b. Objective

Provide a comprehensive and competitive health and benefits program alternative for trial court employees who could be legally excluded from county benefit programs.

c. Basic Strategy for Development and Implementation

An oversight committee composed of representatives from the trial courts and other judicial branch organizations selected Deloitte and Touch to conduct the study. After comprehensive data collection, the vendor presented a suggested model benefits program to the oversight committee and an RFP process took place to provide various lines of health plan coverage.

c. Timeframe

This study was completed and the Trial Courts Benefits Program became effective on January 1, 2003. As of August 2005, 26 courts are participating in the program.

e. Current Status

Modifications and enhancements are being made to the plans, as needed, to meet the needs of the trial courts.

4.1.3.F Trial Court Labor and Employee Relations

a. Initiative Description

Provide labor and employee relations services to the trial courts.

b. Objective

Enable the courts to conduct labor negotiations with their employee groups, associations, or unions, and handle employee relations issues as they arise.

c. Basic Strategy for Development and Implementation

Since 2001, the AOC's Labor and Employee Relations Unit (LERU) has worked in partnership with the superior courts in building capacity and directly assisting the courts. Labor negotiations are conducted on a court by court basis and on a regional level for court interpreters.

To date, the LERU has provided negotiating services to over 27 trial courts and serves as chief negotiator in three of the four legislatively mandated regional court interpreter labor relations bargaining teams.

Additionally, the LERU continues to provide a full spectrum of labor and employee relations services to the superior courts, which includes evaluating employee performance issues, providing advice on employee disciplinary matters, responding to employee organization grievances, investigating conduct in violation of court policy or state law, providing court specific disciplinary training, providing statewide labor relations training opportunities, reviewing and drafting of employer personnel policies and labor relations rules, creating and updating a repository for court memoranda of understanding, and developing model contract language for courts to utilize when creating their memoranda of understanding.

d. Timeframe

The AOC created the HR Labor and Employee Relations Unit in 2001.

e. Current Status

This initiative is completely implemented and operational.

4.1.4 Cross-Enterprise Approach. Applying an enterprise resource planning model approach to trial court administrative support services relating to court technology, in April 2005, the AOC created a new, integrated project approach for three key strategic programs currently under way or in planning. A steering committee was formed with the directors, program managers, and team leads of the Human Resources, Finance, and Information Services divisions. This integrated approach is intended to facilitate the development of a common governance structure, leverage resources and knowledge across AOC projects and divisions, and improve customer service and communication. Current projects include the Court Accounting and Reporting System; the new Court Human Resource Information System; and the Master Payroll Services Contract for Trial Courts: Payroll System Upgrade (among other potential service options that may be made available).

4.1.5 Trial Court Facilities Initiatives. The Task Force on Court Facilities was established by the Trial Court Funding Act of 1997 to review and make recommendations regarding court facilities throughout California. The Task Force consisted of members drawn from the appellate and trial courts, county government, state Departments of Finance and General Services, and

representatives of the Legislature. The Task Force published its Final Report on October 1, 2001. Its recommendations formed the basis of the Trial Court Facilities Act of 2002 (Senate Bill (SB) 1732).

The AOC Office of Court Construction and Management was established to enable the Judicial Council to carry out its responsibilities under SB 1732, and subsequent modifying legislation (collectively referred to in this document as SB 1732). The initiatives to be reviewed under this RFP are:

- 4.1.5.A Transfer of Trial Court Facilities from County Responsibility to State Responsibility
- 4.1.5.B Funding and Financing of Trial Court Facility Construction
- 4.1.5.C Funding of Trial Court Facility Operations and Maintenance
- 4.1.5.D Approaches to Risk Management and Insurance For Trial Court Facilities
- 4.1.5.E Computer-Aided Facilities Management

4.1.5.A Transfer of Trial Court Facilities from County Responsibility to State Responsibility

- a. Initiative Description
SB 1732 envisions the transfer of responsibility for trial court facilities from the counties to the state. The transfers are to be negotiated on a building-by-building basis by the counties and the state, represented by the Judicial Council. SB 1732 outlines roles and responsibilities of the Judicial Council, AOC, counties, and other bodies relative to the transfer. In addition, SB 1732 defines various limitations and requirements related to the transfers.
- b. Objectives
The transfer of trial court facilities from the counties to the state consistent with SB 1732.
- c. Basic Strategy for Development and Implementation
The AOC's Office of Court Construction and Management (OCCM), assisted by the Real Estate Unit of the Office of General Counsel is responsible for development and implementation of a strategy to achieve the transfer of facilities. OCCM has retained a real estate services company and Real Estate Unit has retained outside counsel to assist in the transfer effort. A team approach is used to conduct the negotiations with the counties. Additional legislative actions related to

SB 1732 are under development with stakeholders to address areas of conflict.

d. Timeframe

The transfers shall occur between July 1, 2004 and June 30, 2007.

e. Current Status

Initial transfer meetings have been held with each county. Based on feedback received from the counties a schedule for further transfer discussions has been established. Currently, negotiations are underway with 24 counties.

4.1.5.B Funding and Financing of Trial Court Facility Construction

a. Initiative Description

SB 1732 established the State Court Facilities Construction Fund, specified certain revenues from criminal offense and civil filing surcharges that are to be deposited in the fund, and provided that certain portions of counties' Courthouse Construction Funds are to transfer to the fund. This initiative is to develop funding projections, to determine what level of construction projects can be supported by the funding, to determine to what extent bond financing may be required to meet court facility needs, and to develop support to increase surcharges to Task Force-recommended levels.

b. Objectives

The objectives are to refine estimates of the revenue stream from the sources identified in SB 1732, to provide analyses of the extent to which the revenue can support proposed construction projects (both on a pay-as-you-go basis and lease revenue financing), to determine what level of additional general obligation bond funding would be needed to fully implement the proposed capital outlay plan for trial court facilities, and to explore alternative financing mechanisms available.

c. Basic Strategy for Development and Implementation

The AOC's Finance Division develops projections of the current revenue stream established by SB 1732. OCCM's Business and Planning Unit develops a capital outlay plan based upon master plans for each superior court and analyzes which projects may be funded by the projected revenue and the level of general obligation bond needed to completely fund the capital outlay plan. OCCM also leads development of financing alternatives and reviews the implications of statutory constraints and opportunities.

- d. **Timeframe**
The basic decisions regarding funding and financing, including the need for a general obligation bond, are to be made in mid-2005.
- e. **Current Status**
Revenue projections have been completed by the Finance Division and are periodically updated to reflect historical collections data. The master plans for the superior courts have been completed. OCCM has proposed, and the Judicial Council has adopted, the first Trial Court Five-Year Capital Outlay Plan. OCCM has determined what level of projects can be supported by the current revenue stream. AOC is currently projecting the size of a general obligation bond needed to implement the capital outlay plan, reviewing the plan for potential cost reductions, and engaging financial and legal consultants to document financing strategies.

4.1.5.C Funding of Trial Court Facility Operations and Maintenance

- a. **Initiative Description**
SB 1732 established the Court Facilities Trust Fund for the purpose of operating, repairing, and maintaining trial court facilities transferred to the state. SB 1732 also established and defined the method for calculating a County Facility Payment (CFP) that shall be paid annually by the individual counties for each facility that transfers to the state. This initiative examines the adequacy of the funding provided by the CFPs relative to the costs that will be incurred by the state in operating and maintaining the transferred buildings.
- b. **Objectives**
Determine the level of additional revenues that will be required to operate and maintain transferred facilities at acceptable performance and asset preservation levels.
- c. **Basic Strategy for Development and Implementation**
CFPs submitted by counties are reviewed for compliance with SB 1732 requirements and for reasonableness. Estimates of the costs for operating and maintaining transferred buildings will be prepared. Shortfalls in funding will be identified. In addition, the AOC will approach other stakeholders to review the adequacy of the CFP calculation methodology included in SB 1732.

d. Timeframe

By year end, 2005, a sufficient number of CFPs should be submitted to estimate funding to be available following the transfer of all facilities.

e. Current Status

The process for AOC review of submitted CFPs has been developed. The first several CFPs have been reviewed and discussions are being held with counties regarding the completeness and accuracy of the CFPs. Initial general estimates for building operation and maintenance costs have been developed by OCCM's Real Estate and Asset Management Unit.

4.1.5.D Approaches to Risk Management and Insurance for Trial Court Facilities

a. Initiative Description

This initiative is to develop policy recommendations for the Judicial Council relative to providing for risk management and to insuring transferred trial court facilities for liability and property loss.

b. Objectives

Collect data on loss history and current practices by the counties for insuring court facilities to examine options for risk management and insuring facilities once transferred to the state, and recommend policies to the Judicial Council.

c. Basic Strategy for Development and Implementation

The AOC's Real Estate Unit (REU) gathers, through transfer meetings and interface with county officials (usually the county risk manager), an understanding of insurance currently provided for facilities by the counties and claims history for individual facilities. In addition, REU reviews current state practice regarding insurance of state-owned buildings and develops options and policy recommendations for review by the Judicial Council.

d. Timeframe

The REU expects that loss history and current practice data sufficient to perform the risk management and insuring functions will have been collected by the end of the calendar year 2005.

e. Current Status

REU has participated in initial transfer meetings with all 58 counties and has identified the need for the information regarding insurance and claims history. REG is following up on the initial meetings with focused requests to counties that are currently actively pursuing transfer negotiations. A review of state practices relative to insurance is underway.

4.1.5.E Computer-Aided Facilities Management (CAFM)

a. Initiative Description

In response to the Trial Court Funding Act of 1997 and Trial Court Facilities Act of 2002, OCCM, with support from the Information Service Division, is implementing a technology solution to support the court facilities transfer responsibilities and to manage issues related to design, construction, lease, space, assets, and maintenance.

b. Objectives

- Develop a complete, statewide, web-based solution to support the planned operations of three regions, 58 counties, 308 sites, 467 buildings, and 10.6 million usable square feet, encompassing the complete facilities life cycle, from needs analysis through project development, construction, occupancy, maintenance and retirement.
- Support AOC management of court facilities; support the change in the court funding structure; and coordinate administrative responsibilities related to centralization of facilities management.
- Provide management in functional areas such as the property portfolio, monitoring facilities condition, lease administration, space management, and managing maintenance. Other areas include asset /equipment management, tools /parts /materials management, and requisitioning; facilities purchase requisitioning, move management, facilities document management, and other functions.

c. Timeframe

The solution development and implementation is over a period of three years beginning July 1, 2004 through June 30, 2007, in concert with the planned transfer schedule.

d. Basic Strategy for Development and Implementation

CAFM is taking a phased approach.

Phase I - Initial Pilot - Build a pilot system with the modules and requirements to implement in four counties. These include the property portfolio module; program/project management module; demand maintenance module; and lease management module.

Phased II – Roll out to 140 buildings. Provide planned maintenance management; asset /equipment management; tools/parts/materials management and requisitioning, and interface to existing AOC financial systems.

Phase III – Additional modules will be configured and rolled out in later phases as the requirements are defined.

e. Current Status

Phase I implementation – Today, there are 70 active CAFM users statewide. The CAFM property portfolio includes 320 sites and 500 buildings in 58 counties. Twelve five-year projects are underway with various counties and courthouses. One court property has transferred ownership and 20 leases (appellate courts and DGS) have been executed. Testing is underway for the demand maintenance functionalities to fine tune the request process.

Phase II development – This phase is in progress and includes prioritizing functional requirements and reviewing initial design solutions for implementation, including planned maintenance, asset management, and inventory management.

4.1.6 Comprehensive Legal Services to the Trial Courts. Prior to state funding, trial courts generally received their legal services from their local county counsels. With state funding, county counsel for the most part stopped providing these services. Presiding judges and ultimately the Judicial Council asked the AOC, through its Office of the General Counsel (OGC), to step into this breach and provide legal services to the trial courts.

a. Initiative Description

AOC-OGC provides all legal services needed by all trial courts, including services in the areas of litigation defense, labor and employment legal advice, judicial administration legal advice, contracts and other business transactions, and facilities.

b. Objectives

The benefits and objectives of having one statewide office provide services to all trial courts include: economies of scale (rather than having multiple county counsels work on the same issue for multiple courts simultaneously, one legal office addresses the issue, shares its work with other or all courts, as appropriate, and preserves that work in a data bank for future reference); consistency of legal advice (avoiding inconsistent legal opinions from multiple county counsels to different trial courts); performance of trial courts' legal work by attorneys with expertise in judicial branch issues and a judicial branch (rather than county government) perspective; avoidance of the conflicts of interest which can arise for county counsels because of court-county disputes; and the capacity to obtain improvement in our judicial system because of AOC-OGC's ability to propose rules of court or statutes to address legal or operational problems identified in handling trial courts' legal problems.

In providing the legal services to the courts, OGC's mission is to provide high quality, timely and ethical legal advice and services.

c. Basic Strategy for Development and Implementation

Provide services from San Francisco headquarters and regional offices, with a significant number of OGC attorneys to be placed in the regional offices.

d. Timeframe

AOC-OGC began providing some legal services to the trial courts in 1999. These services have expanded over the past several years as resources permitted. Some additional resources will be needed to become the sole provider of legal services to the trial courts, and it is unclear by when these resources may be obtained.

e. Current Status

Previously, OGC had only been able to place one attorney in a regional office, but will increase the number of attorneys in the regional offices this year. The expectation is that the office will be able to meet most of the needs of the trial courts for legal services, but that additional resources will be required before all needs can be met.

ATTACHMENT F**Judicial Council Policy Directives on Statewide Administrative Infrastructure Initiatives
Judicial Council Business Meeting, February 28, 2003****Item 6 Statewide Administrative Infrastructure Initiatives (Action Required)**

AOC staff recommends that the Judicial Council reaffirm the past policy approach to development and implementation of statewide administrative infrastructure initiatives in the areas of finance, human resources, information technology, and legal services.

Council action:

The Judicial Council reaffirmed the past policy approach to development and implementation of statewide administrative infrastructure initiatives in the areas of finance, human resources, information technology, and legal services, with modifications to items 1.B, 1.D, and 2.A.

1. The Judicial Council reaffirm its previous direction to the AOC to develop and implement the necessary administrative infrastructure to support the operations of the trial courts to provide efficient, cost-effective, and reliable statewide administrative services (to avoid duplication of services, etc.). This includes such things as:

A. Reaffirming its previous direction to staff to continue developing trial court fiscal accountability initiatives and seek the necessary resources to implement the statewide rollout plan for the trial court financial system known as CARS, to provide sufficient resources to support the Trial Court Accounting Processing Center that supports CARS, and to develop a centralized statewide treasury for use by all trial courts;

B. Reaffirm its previous direction to staff to continue developing trial court technology initiatives and seek the necessary resources to provide a statewide Technology Center for use by all courts as appropriate, to stabilize courts with critical needs, to focus on a select number of viable case management systems, and supports and urges the continued development and implementation of the California case management system as quickly as possible as the statewide case management system intended for use by all courts.

C. Reaffirm its previous direction to staff to continue developing statewide human resources initiatives and seek the necessary resources to provide Trial Court Benefits and Workers' Compensation Programs, to implement statewide systems supporting Trial Court HR needs and Judicial Branch Succession Planning, to conduct Trial Court Fast Track Training and Human Resources Conference, and to implement the Trial Court Interpreters Program (Senate Bill 371);

D. Reaffirm its previous direction to staff to continue developing a program and seek the necessary resources to provide comprehensive legal services for the courts, with the intent that all courts will eventually obtain their legal services solely through the AOC. This policy does not apply to research attorneys, who would continue to assist judges in cases pending before the court, and to assist the court in the development of local policies, programs, and rules, and in conducting local policy research activities and educational programs. In addition, large courts with issues that require regular access to legal counsel (e.g., for employment, labor, contract, or judicial administration matters) could request the approval of the Administrative Director of the Courts to place AOC attorneys directly in the court, or to hire their own in house counsel, who would work in coordination with the AOC's Office of the General Counsel.

2. To avoid duplication of service and the unnecessary investment of time and other resources, the Judicial Council established the following policies:

A. AOC staff shall continue to work together with the trial and appellate courts and provide periodic updates to courts on the development and implementation of statewide administrative services.

B. Trial courts interested in pursuing an alternative to a statewide approach shall obtain the review and approval of the Administrative Director of the Courts before proceeding;

C. Requests for new funding will not be approved when a statewide approach for delivering the service is available; and

D. AOC staff shall make recommendations to the council to redirect funds no longer needed for delivery of an administrative service when a statewide approach is implemented; recommendations should provide options that support statewide services and permits reallocation of the savings to other unfunded mandates in the local court, or if none, to other trial courts.

The motion passed.