



Judicial Council of California
ADMINISTRATIVE OFFICE OF THE COURTS

FINANCE DIVISION

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TO: POTENTIAL PROPOSERS

FROM: Administrative Office of the Courts
Finance Division, for the Human Resources Division

DATE: April 24, 2008

SUBJECT/PURPOSE OF MEMO: REQUEST FOR PROPOSALS
Proposals to provide a full-range of temporary staffing services to the Administrative Office of the Courts.

ACTION REQUIRED: You are invited to review and respond to the attached Request for Proposals (“RFP”):
Project Title: Temporary Staffing Services
RFP Number: HR 07-08-SS

SUBMISSION OF QUESTIONS: Submit questions to the following email address and include Project Title and RFP Number in subject line: solicitations@jud.ca.gov.

Deadline for submittal of questions on procedural matters related to the RFP or requests for clarification or modification of this solicitation document is *1:00 p.m. on May 1, 2008.*

PROPOSAL DUE DATE AND TIME: **Proposals must be received by 3:00 p.m. on May 16, 2008**

SUBMISSION OF PROPOSAL: Deliver proposals to:
Judicial Council of California
Administrative Office of the Courts
Attn: Nadine McFadden, RFP # HR 07-08-SS
455 Golden Gate Avenue
San Francisco, CA 94102

1.0 GENERAL INFORMATION

1.1 Background

1.1.1 The Judicial Council of California, chaired by the Chief Justice of California, is the chief policy making agency of the California judicial system. The California Constitution directs the Council to improve the administration of justice by surveying judicial business, recommending improvements to the courts, and making recommendations annually to the Governor and the Legislature. The Council also adopts rules for court administration, practice, and procedure, and performs other functions prescribed by law. The Administrative Office of the Courts (AOC) is the staff agency for the Council and assists both the Council and its chair in performing their duties.

1.2 AOC's Human Resources Division

1.2.1 The Human Resources Division of the AOC provides the full range of human resources services to California judicial officers and to employees of the appellate courts, the AOC, the Habeas Corpus Resource Center (HCRC), and the Commission on Judicial Performance (CJP).

2.0 PURPOSE OF THIS RFP

2.1 The AOC seeks to identify and retain a primary, qualified temporary staffing agency to supply the agency with high-quality, cost-effective, professional and administrative temporary employees. This RFP is the means for prospective temporary staffing agencies to submit their qualifications to the AOC and request selection as a result of this RFP.

2.2 The AOC anticipates awarding a temporary staffing agency a one-year term initially, with potentially up to three year terms in total. The years are based upon the State's fiscal year (July through June) and option terms may be exercised at the AOC's sole discretion. Cost/fee proposals are solicited covering pricing all three potential fiscal years.

2.3 Over the last five years, the AOC spent between \$900,000 to \$1,500,000 per year for temporary staffing services. However, the AOC does not guarantee that an agency will receive a specific volume of work, a specific total contract amount, or a specific order value under any master agreement executed pursuant to this RFP. Additionally, there will be no limit on the number of orders the AOC may issue under a master agreement, nor will there be any specific limitation on the quantity, minimum and/or maximum value of individual orders.

2.4 This RFP will cover temporary staffing service needs for the AOC located in San Francisco and its regional offices located in Burbank and Sacramento California.

3.0 PROCUREMENT SCHEDULE

3.1 The AOC has developed the following list of key events and dates, subject to change at the discretion of the AOC.

3.2 Key Events Table

No.	Key Event	Key Date
1	AOC issues RFP	April 24, 2008
2	Deadline for proposers to submit questions, requests for clarifications or modifications to solicitations@jud.ca.gov	May 1, 2008, 1:00 P.M. PST
3	Answers to questions posted on the California Courts Website	By May 7, 2008 (estimated)
4	Proposal due date and time	May 16, 2008, 3:00 PM PST
5	Interviews, if any	Week of May 26, 2008 (estimated)
6	Finalize evaluation	June 6, 2008 (estimated)
7	Notice of intent to award	June 9, 2008 (estimated)
8	Completed negotiation and execution of contract	June 23, 2008 (estimated)

3.3 Request for Clarifications or Modifications

3.3.1 Temporary staffing agencies interested in responding to the solicitation may submit questions by e-mail only on procedural matters related to the RFP or requests for clarification or modification of this solicitation document, including questions regarding Attachment B, Master Agreement Terms, to the Solicitations mailbox address, reference to below. If a temporary staffing agency is requesting a change, the request must state the recommended change and the proposer's reasons for proposing the change.

3.3.2 **Solicitations mailbox:** solicitations@jud.ca.gov

- 3.3.3 All questions and requests must be submitted by e-mail to the Solicitations mailbox and received no later than the date and time specified in Section 3.2. Questions or requests submitted after the due date will not be answered.
- 3.3.4 All e-mail submissions sent to the Solicitations mailbox MUST contain the RFP number and other appropriate identifying information in the e-mail subject line. In the body of the e-mail message, always include paragraph numbers whenever references are made to content of this RFP. Failure to include the RFP number as well as other sufficient identifying information in the e-mail subject line may result in the AOC's taking no action on a proposer's e-mail submission.
- 3.3.5 Without disclosing the source of the question or request, an AOC Contracting Officer will post a copy of both the questions and the AOC's responses on the California Courts Web site (<http://aocweb.jud.ca.gov/reference/rfp/>). The AOC reserves the right to edit questions for clarity and relevance. The AOC, at its discretion, may elect not to address some questions.
- 3.3.6 If a proposer's question relates to a proprietary aspect of its proposal and the temporary staffing agency believes that the question would expose proprietary information if disclosed to competitors, the temporary staffing agency may submit the question in writing, conspicuously marking it as "CONFIDENTIAL." With the question, the temporary staffing agency 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 temporary staffing agency will be so notified, at which time the temporary staffing agency may withdraw the question or restate the question so as to make it non-proprietary or non-confidential.

4.0 RFP ATTACHMENTS

- 4.1 Attachment A, Administrative Rules Governing Request for Proposals. Proposers shall follow the rules, set forth in Attachment A, in preparation of their proposals.
- 4.2 Attachment B, Master Agreement Terms. Contracts with successful firms will be signed by the parties on a State of California Standard Agreement form and will include terms appropriate for this project. Terms and conditions typical for the requested services are attached as Attachment B and include the following documents:

Request for Proposal Number HR 07-08-SS
Project: Temporary Staffing Services

- 4.2.1 Exhibit A, Standard Provisions.
- 4.2.2 Exhibit B, Special Provisions.
- 4.2.3 Exhibit C, Payment Provisions.
- 4.2.4 Exhibit D, Schedules.
 - 4.2.4.1 Schedule 1, Salary Rates Schedule.
 - 4.2.4.2 Schedule 2, Conversion Salary Rates Schedule.
 - 4.2.4.3 Schedule 3, Billing Rates Schedule including Contractor Mark-up and Salary Rates.
 - 4.2.4.4 Schedule 4, Billing Rates Schedule including Contractor Mark-up and Conversion Salary Rates.
 - 4.2.4.5 Schedule 5, Billing Rates Schedule including AOC Referral Mark-up and Salary Rates.
 - 4.2.4.6 Schedule 6, Billing Rates Schedule including Subcontractor Mark-up and Subcontractor Billing Rates.
- 4.2.5 Exhibit E, Description of Services.
- 4.2.6 Exhibit F, Classifications.
- 4.2.7 Exhibit G, Contractor's Key Staff.
- 4.2.8 Exhibit H, Attachments, including:
 - 4.2.8.1 Attachment 1, Temporary Services Employee Agreement Form.
 - 4.2.8.2 Attachment 2, Sample Work Order Template.
- 4.3 Attachment C, Proposer's Acceptance of the RFP's Master Agreement Terms. Proposers must either indicate acceptance of the Master Agreement Terms, as set forth in Attachment B, or **clearly identify** exceptions to the Master Agreement Terms, as set forth in Attachment B. If exceptions are identified, then proposers must also submit (i) a red-lined version of Attachment B that clearly tracks proposed changes to the attachment, and (ii) written summary of each change and relevance and rationale to substantiate each proposed change.
- 4.4 Attachment D, DVBE Participation Form. Proposers must demonstrate either (i) DVBE compliance with minimum participation goals, or (ii) written evidence of a "good faith effort" explaining why compliance with DVBE goals cannot be achieved. DVBE Participation goals are further explained under section 14.0 of this RFP.
- 4.5 Attachment E, Pricing Form. Proposers must propose unit pricing and fees necessary to accomplish the work requirements of the eventual agreement (note pricing does not include an anticipated total dollar amount). It is expected that all proposers responding to this RFP will offer the proposer's government or comparable favorable rates.

- 4.6 Attachment F, Payee Data Record Form. The AOC is required to obtain and keep on file, a completed Payee Data Record for each vendor prior to entering into a contract with that vendor. Therefore, proposer's proposal must include a completed and signed Payee Data Record Form, set forth as Attachment F.
- 4.7 Attachment G, Customer Reference Form. References supplied per section 7.2.3.1 must be provided using the form attached as Attachment G.
- 4.8 Attachment H, Proposer Certification Form, certifying neither proposer nor any proposed subcontractors are currently under suspension or debarment by any state or federal government agency, and that neither proposer nor any proposed subcontractors are tax delinquent with the State of California.

5.0 SCOPE OF SERVICES

- 5.1 The AOC anticipates that the service provider will provide temporary services, as requested, in accordance with eventual master agreement's terms and conditions. Temporary staffing services to be performed will be determined and communicated via the work order process, as they arise.
- 5.2 Services are expected to be performed by the temporary staffing agency starting the beginning of July 2008 for an initial one-year term; the AOC, at its sole discretion, may elect to extend the master agreement past the initial term for up to two consecutive one-year option terms.
- 5.3 The AOC makes no representations hereunder about the amount of work that may be given to a service provider pursuant to this RFP; however, the information provided below is illustrative only of the general work requirements which the temporary staffing agency will be asked to provide. For further description of the anticipated work requirements, refer to Attachment B's Exhibit E, Description of Services.
 - 5.2.1 Pursuant to work orders issued under a master agreement, perform temporary staffing agency services.
 - 5.2.2 Staff temporary job openings, on request and in the requested time frame, with individuals who possess the required qualifications to perform the job to the fullest capacity.
 - 5.2.3 Provide regular daily follow-up with Project Manager on temporary positions that have not been filled.
 - 5.2.4 If unable to provide qualified candidates through temporary staffing agency's database, use subcontracted temporary staffing agency firm(s) to provide qualified candidates.

- 5.2.5 Provide and conduct background checks and thorough past employee references (using AOC provided template) for selected candidates within a reasonable time frame.
- 5.2.6 Provide the billing rate for each temporary employee, job classification, the applicable mark-up rates.
- 5.2.7 Provide detailed temporary staffing reports that include data such as: name of employee, AOC unit in which temporary employee worked, start and end dates (or anticipated end date), billing rate, classification, total regular hours worked, total overtime hours worked, and total amount invoiced, etc.
- 5.2.8 Provide a single point of contact to support the entire AOC account, allowing the AOC to interview potential replacements in the event a change of the point of contact is required.

6.0 EVALUATION OF PROPOSALS

- 6.1 Proposals will be evaluated by the AOC using the following criteria:
 - 6.1.1 Quality of proposal submitted. (total possible points: 30)
 - 6.1.2 Credentials of staff to be assigned to the account. (total possible points: 20)
 - 6.1.3 Reasonableness of cost/fee proposal. (total possible points: 25)
 - 6.1.4 Experience with public sector temporary staff placement. (total possible points: 15)
 - 6.1.5 Ability to meet timing requirements. (total possible points: 10)

7.0 SPECIFICS OF A RESPONSIVE TECHNICAL PROPOSAL

- 7.1 The following information shall be included as part of the technical portion of the proposal:
 - 7.1.1 Quality of Proposal Submitted.
 - 7.1.1.1 Describe methodology used to fill an order for a temporary employee.
 - 7.1.1.2 Describe screening, testing, and interview procedures.
 - 7.1.1.3 Discuss your ability and success rate at placing long-term temporary assignments.

7.1.1.4 Discuss process or policy regarding replacing a temporary employee (e.g., temporary employee calls in sick, doesn't show up, has personality conflicts, is lacking necessary skills, etc.).

7.1.1.5 Describe the types of positions most commonly filled, and the types of positions you have the means to fill. Attachment B's Exhibit F, Classifications, sets forth the descriptions of the AOC's frequently requested temporary positions. How successful has your agency been in filling similar orders?

7.1.1.6 Discuss your policy of overtime pay for temporary employees.

7.1.1.7 Demonstrate the following minimum insurance coverage, which would also cover any assigned temporary personnel:

Insurance	Minimum Coverage
Workers' Compensation	Statutory
Employers' Liability	\$1,000,000 per occurrence
Comprehensive General Liability	\$1,000,000 per occurrence/ \$2,000,000 aggregate
Business Automobile Liability	\$1,000,000 per accident

7.1.1.8 Describe the procedure for how sick leave and health benefits would be provided to your temporary employees, considering San Francisco Health Care Security Ordinance, Chapter 14 of the San Francisco Administrative Code, and San Francisco Paid Sick Leave Ordinance, Chapter 12W of the San Francisco Administrative Code. Identify the pay cycle (e.g. weekly, every two weeks, twice a month, monthly, etc) for which your agency regularly pays its temporary employees for work performed,

7.1.1.9 The AOC has additional offices in Burbank and Sacramento. Provide a description of your agency's ability, if any, to provide staffing services in these locations.

7.1.1.10 Indicate whether you will be able to provide the AOC with customized billing to accommodate the following: invoice to include temporary employee's reporting manager, one invoice per temporary employee, and provision of four copies of each invoice.

7.1.1.11 Provide written documentation that all temporary employees provided through your agency will be considered your agency's employees, or employees of your agency's subcontractors, as applicable, and that your agency or your subcontractor will be responsible for maintaining, at all times,

suitable minimum insurance coverage and all payroll taxes covering each person whose services you provide to the AOC.

7.1.1.12 Travel may be necessary for some temporary employees. Provide your policy and billing charges.

7.1.1.13 AOC's contract terms and conditions for the agreement anticipated to result from this RFP are set forth in Attachment B, Master Agreement Terms. Indicate conformance with AOC's Master Agreement Terms by completing and submitting Attachment C, Proposer's Acceptance of the RFP's Master Agreement Terms. Any exception to the AOC's Master Agreement Terms MUST be proposed by submitting (i) a red-lined version of Attachment B, Master Agreement Terms, and (ii) a justification for any proposed changes on Attachment C, Proposer's Acceptance of the RFP's Master Agreement Terms.

7.1.1.14 Complete and submit an Attachment F, Payee Data Record Form, and an Attachment H, Proposer Certification Form, on behalf of each firm represented in the proposal. Note that if an individual or sole proprietorship, using a social security number for tax recording purposes, is awarded a contract, the social security number will be required prior to finalizing a contract.

7.1.2 Credentials of Staff to be Assigned to the Account.

7.1.2.1 Provide resume(s) describing the background and experience of key staff, as well as each individual's ability and experience in conducting the proposed activities. Key staff resume(s) will be incorporated into the master agreement, if awarded.

7.1.3 Experience with Public Sector Temporary Staff Placement.

7.1.3.1 Using Attachment G, Customer Reference Form, provide names, addresses, and telephone numbers of a minimum of five (5) clients for whom the temporary staffing agency has conducted similar services. The AOC may check references other than those listed by the temporary staffing agency.

7.1.3.2 The AOC is a California state entity and is unable to pay standard conversion or buyout fees for non-executive positions. Provide the conversion period duration from the assignment of a temporary employee, after which the State would be able to hire the assigned temporary employee.

- 7.1.4 Reasonableness of cost/fee proposal. See section 8.0, Specifics of a Responsive Cost/Fee Proposal, below.
- 7.1.5 Ability to Meet Timing Requirements.
 - 7.1.5.1 Discuss the average response time on filling orders. Also provide hours of business.
 - 7.1.5.2 Indicate what technology you have in place and/or have available for implementation to reduce paperwork and expedite response times (include options for timecard submission). Include all software and hardware requirements.
 - 7.1.5.3 Describe previous use of subcontractors to fill “hard-to-fill” positions, and include time requirements expected before use of subcontractors can be demanded by the AOC.

8.0 SPECIFICS OF A RESPONSIVE COST/FEE PROPOSAL

- 8.1 The following information shall be included as the cost portion of the proposal:
 - 8.1.1 As a separate document using Attachment E, Pricing Form, provide the temporary staffing agency’s proposed pricing and fee schedule.
 - 8.1.2 In accordance with the position descriptions set forth Attachment B’s Exhibit F, Classifications, provide pricing for the following:
 - 8.1.2.1 For each of the classification positions listed and for each of the three possible terms considered for this effort, provide the following: salary or pay rate ranges, proposed by the agency, or for proposed subcontractors, proposed subcontractor billing rate ranges, as applicable.
 - 8.1.2.2 The eventual billing rates will be calculated by multiplying the applicable salary rate or subcontractor billing rate, as proposed in response to paragraph 8.1.2.1, by the appropriate mark-up, which is to be retained by the agency from State’s payment for the agency’s services rendered. For each of the three possible terms considered for this effort, provide the following mark-up rates:
 - 8.1.2.2.1 Contractor mark-up, which is the agency’s mark-up from its employees’ pay or salary rates; in this case, the pay or salary rate plus this mark-up equals the billing rate which will be in a work order.

8.1.2.2.2 AOC referral mark-up, which is the agency's mark-up from its employees' pay or salary rates for employees referred to the agency by the AOC; in this case, the pay or salary rate plus this mark-up equals the billing rate which will be in a work order.

8.1.2.2.3 Subcontractor mark-up, which is the agency's mark-up for subcontracted temporary staff; in this case, the subcontractor's billing rate plus this mark-up equals the billing rate which will be in a work order.

8.1.3 In addition, for the following, provide either pricing and/or method for calculation of pricing or explanation describing why no pricing is proposed:

8.1.3.1 Overtime rates; if applicable.

8.1.3.2 Any applicable volume discount and associated period.

8.1.3.3 Rates proposed must be inclusive of all burdened elements of cost. Describe pricing model proposed for sick leave and health benefits to be provided to your temporary employees, considering San Francisco Health Care Security Ordinance, Chapter 14 of the San Francisco Administrative Code, and San Francisco Paid Sick Leave Ordinance, Chapter 12W of the San Francisco Administrative Code.

8.1.4 Using Attachment D, DVBE Participation Form, demonstrate either (i) DVBE compliance with minimum participation goals, or (ii) written evidence of a "good faith effort" explaining why compliance with DVBE goals cannot be achieved.

8.2 It is expected that all temporary staffing agencies responding to this RFP will offer the firm's government or comparable favorable rates. Proposals should not include proposed costs for either background checks or travel related expenses, as background checks will be reimbursed at actual cost and travel expenses, if any, will be reimbursed at actual cost in accordance with California State guidelines, as established by the California Victim Compensation and Government Claims Board, as set forth in Attachment B, Master Agreement Terms.

- 8.3 The cost/fees proposed must be inclusive of personnel, materials, computer support, and overhead rates. The method of payment to the temporary staffing agency is anticipated to be by cost reimbursement.

9.0 SUBMISSION OF PROPOSALS

- 9.1 The proposer must prepare a cover letter on the prime proposer's business letterhead to accompany the proposal. The purpose of this letter is to transmit the proposal; therefore, it should be brief. The letter must be signed by an individual who is authorized to bind his or her firm to all statements, including services and prices, contained in the proposal. The cover letter must state who the proposed prime contractor is, name the proposed subcontractors, and provide proposer's point of contact, including name, physical and electronic addresses, and telephone and facsimile numbers.
- 9.2 Responsive proposals should provide straight-forward, concise information that satisfies the requirements noted in section 7.0, Specifics of a Responsive Technical Proposal, and section 8.0, Specifics of a Responsive Cost/Fee Proposal. Expensive bindings, color displays, and the like are not necessary or desired. Emphasis should be placed on conformity to the state's instructions, requirements of this RFP, and completeness and clarity of content.
- 9.3 Provide an original and five (5) copies of both the technical proposal and the cost proposal. The cost proposal, including at least a completed Attachment E, Pricing Form, and Attachment D, DVBE Participation Form, must be provided in separate package(s) from the technical proposal submittal. Cost proposal package(s) should be clearly marked as "Cost Proposal," and technical proposal package(s) should be clearly marked as "Technical Proposal."
- 9.4 Provide one (1) electronic copy of the entire proposal in MS Word and/or Excel compatible format by submitting it in CD-ROM format, along with the written proposal, by the Proposal Due Date and Timeset forth on this RFP's coversheet.
- 9.5 Proposals must be delivered to the individual listed in the Submission of Proposals section of the coversheet to this RFP.
- 9.6 Only written responses, accompanied by CD-ROM submittal, will be accepted. Responses should be sent by registered or certified mail or by hand delivery.

10.0 ADDITIONAL REQUIREMENTS

- 10.1 Prior to proposal submission, it may be necessary to schedule a pre-proposal conference to clarify the requirements of this RFP. If a pre-proposal conference is scheduled, the time, date, and location of the conference will be set forth in a

notice or an addendum posted with the RFP on the AOC's web site "Courtinfo" (<http://www.courtinfo.ca.gov/reference/rfp/>).

- 10.2 After proposal submission, it may be necessary to interview prospective temporary staffing agencies to clarify aspects of their submittal. Site visits may also be requested to view interviewing/testing facilities and to meet prospective account representatives. The AOC will notify prospective temporary staffing agencies regarding the interview or site visit arrangements.

11.0 PROPOSED CONTRACT TERMS AND ADMINISTRATIVE RULES

- 11.1 A master agreement with the successful firm will be signed by the parties on a State of California Standard Agreement form and will include terms appropriate for this project. Terms and conditions typical for the requested services are attached as Attachment B, Master Agreement Terms.
- 11.2 Proposers shall follow the rules set forth in Attachment A, Administrative Rules Governing Requests for Proposals, in preparation of their proposals.

12.0 RIGHTS

The AOC reserves the right to reject any and all proposals, in whole or in part, as well as the right to issue similar RFPs in the future. This RFP is in no way an agreement, obligation, or contract and in no way is the AOC or the State of California responsible for the cost of preparing the proposal. One copy of a submitted proposal will be retained for official files and becomes a public record.

13.0 CONFIDENTIAL OR PROPRIETARY INFORMATION

The Administrative Office of the Courts 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 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.

14.0 DISABLED VETERAN BUSINESS ENTERPRISE PARTICIPATION GOALS

- 14.1 The State of California Executive Branch requires contract participation goals of a minimum of three percent (3%) for disabled veteran business enterprises (DVBEs). The AOC is subject to this participation goal. If it would be impossible for your company to comply, an explanation of why and demonstration of written evidence of a "good faith effort" to achieve participation

is required. Your company must complete Attachment D, DVBE Participation Form and include the form with your Cost Proposal. If your company has any questions regarding the form, you should contact the individual listed in the Submission of Proposal section on the coversheet of this RFP. Information about DVBE resources can be found on the Executive Branch's Internet web site at: <http://www.dgs.ca.gov/default.htm> or by calling the Office of Small Business and DVBE Certification, at 916-375-4940.

- 14.2 Propose the percentage of participation, rather than the dollar amount of participation in Attachment D, if DVBE participation is proposed, since the number of work orders, if any, and dollar amount of possible work to be performed under any master agreement awarded pursuant to this RFP will not be known at time of award.