

# REQUEST FOR PROPOSALS

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***COURT OF APPEAL, THIRD APPELLATE DISTRICT***

**REGARDING:**

*Mediator Training for Appellate Mediation Program  
3DCA RFP 25/26-02*

**PROPOSALS DUE:**

*Monday, **December 22, 2025**, NO LATER THAN **4:30 P.M.** PACIFIC TIME*

## **1.0 GENERAL INFORMATION (definitions set forth in Appendix D)**

- 1.1 In October 2006, the Court of Appeal, Third Appellate District (the Court), launched the Appellate Mediation Program to facilitate civil case resolution and to reduce costs to the litigants and the Court. This program provides facilities for mediation conferences and offers support staff to assist mediators and the parties. In the Court, mediation is mandatory for selected civil cases and the mediation process for identifying selected civil cases begins with the filing of the notice of appeal. *Local Rule 1* of the Court of Appeal, Third Appellate District, governs mediation in the Third Appellate District and can be found on its website at <https://appellate.courts.ca.gov/district-courts/3dca/court-programs/mediationprogram>
- 1.2 To become a mediator for the Court, attorneys and retired judges interested in joining the Court's panel must be trained by a person or entity selected by the Court. In its 19 years of operation, the Court has trained over 140 attorneys and retired judges who provide the Court with mediation services. Depending on funding, mediator training sessions are conducted every other year. The next mediator training will take place on May 28, May 29, June 3, June 4, and June 5, 2026.

## **2.0 DESCRIPTION OF SERVICES AND DELIVERABLES**

- 2.1 The Court seeks the services of a person or entity with expertise in training mediators to conduct fundamental appellate mediation training sessions for no more than 24 applicants to the Court's mediation panel. The training must include segments on the appellate process, standards of review, and reversal rates on appeal, as well as role playing exercises based on hypothetical appeals.
- 2.2 Services are expected to be performed by the provider on May 28, May 29, June 3, June 4, and June 5, 2026. The Court contemplates a training model consisting of a minimum of 32 hours of mediation training. The Court prefers the training to be conducted in full or half-day sessions. Classes should be structured to encourage participation and may include weekends.
- 2.3 The service provider will be asked to:
  - A. Provide a detailed project outline with a methodology that includes a description of the format, duration, materials, and curriculum for the training program, which should include:
    - A comparison of the appellate process and the mediation process;
    - Standards of appellate review;
    - Ethical standards for mediators;
    - Confidentiality;
    - Negotiated problem solving;

- Communication skills;
  - Risk analysis;
  - Structuring the mediation;
  - Understanding the dispute from each party's perspective;
  - Defining problems to be solved;
  - Caucusing;
  - Generating and testing options;
  - Reaching resolution; and
  - Drafting a memorandum of understanding.
- B. Describe the faculty and their qualifications who will participate in conducting the training sessions, with a desired faculty to student ratio of 6 to 1;
- C. Meet and work with the Mediation Program Coordinator or other designated staff to review development of the training program for approval by the Mediation Program Committee;
- D. Secure approved credit for the training from the State Bar of California as continuing legal education;
- E. Provide the proposed training at a location in Sacramento, California, as determined by the Court by June 30, 2026. Confirmed dates are May 28, May 29, June 3, June 4, and June 5, 2026.

### 3.0 TIMELINE FOR THIS RFP

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

EVENT	DATE
RFP issued	November 21, 2025
Deadline for questions	December 4, 2025
Questions and answers posted	December 12, 2025
Latest date and time proposal may be submitted	<b>December 22, 2025, at 4:30 P.M., PACIFIC TIME</b>
Evaluation of proposals ( <i>estimate only</i> )	January 9, 2026
Notice of Intent to Award ( <i>estimate only</i> )	January 12, 2026
Solicitation Specifications Protest	December 22, 2025

EVENT	DATE
Negotiations and execution of contract ( <i>estimate only</i> )	January 2026
Contract start date ( <i>estimate only</i> )	January 2026
Contract end date ( <i>estimate only</i> )	June 30, 2026

#### 4.0 RFP ATTACHMENTS

The following attachments are included as part of this RFP:

ATTACHMENT	DESCRIPTION
Attachment 1: Administrative Rules Governing RFPs (Non-IT Services)	These rules govern the solicitations.
Attachment 2: Court Standard Terms and Conditions	If selected, the person or entity submitting a proposal (the “Proposer”) must sign a Court Standard Form agreement containing these terms and conditions (the “Terms and Conditions”).
Attachment 3: Proposer’s Acceptance of Terms and Conditions	On this form, the Proposer must indicate acceptance of the Terms and Conditions or identify exceptions to the Terms and Conditions.  <b>Note: A material exception (addition, deletion, or other modification) to a Minimum Term will render a proposal non-responsive. The Court, in its sole discretion, will determine what constitutes a material exception.</b>
Attachment 4: General Certifications Form	The Proposer must complete the General Certifications Form and submit the completed form with its proposal.
Attachment 5: Darfur Contracting Act Certification	The Proposer must complete the Darfur Contracting Act Certification and submit the completed certification with its proposal.

ATTACHMENT	DESCRIPTION
Attachment 6: Payee Data Record Form (STD 204)	This form contains information the Court requires in order to process payments and must be submitted with the proposal. The Payee Data Record Form (STD 204) may be found at the following link:  <a href="https://www.documents/dgs.ca.gov/dgs/fmc/pdf/std204.pdf">https://www.documents/dgs.ca.gov/dgs/fmc/pdf/std204.pdf</a>
Payee Data Record Supplement (STD 205)	This form is optional. This form is used to provide remittance address information if different than the mailing address on the STD 204 – Payee Data Record. Use this form to provide additional remittance addresses and additional Authorized Representatives of the Payee not identified on the STD 204. The Payee Data Record Supplement (STD 205) may be found at the following link:  <a href="https://www.documents/dgs.ca.gov/dgs/fmc/pdf/std205.pdf">https://www.documents/dgs.ca.gov/dgs/fmc/pdf/std205.pdf</a>
Attachment 7: Travel Rate Guidelines	Travel will be reimbursed in accordance with the attached Travel Rate Guidelines

## 5.0 SUBMISSIONS OF PROPOSALS

- 5.1 Proposals should provide straightforward, concise information that satisfies the requirements of the “Proposal Contents” section below. Expensive bindings, color displays, and the like are not necessary or desired. Emphasis should be placed on conformity to the RFP’s instructions and requirements, and completeness and clarity of content.
- 5.2 Proposals will only be accepted by email. The Proposer must submit its proposal in two (2) parts, the technical proposal and the cost proposal.
  - 5.2.1 The Proposer must submit an **electronic copy** of the Technical Proposal. The proposal must be signed by an authorized representative of the Proposer. The Technical Proposal must be submitted via email to [3DCA-Info@jud.ca.gov](mailto:3DCA-Info@jud.ca.gov) and the attachment must be marked “**TECHNICAL PROPOSAL.**” The Proposer must write the RFP title and number in the subject line of the email.
  - 5.2.2 The Proposer must submit an **electronic copy** of the Cost Proposal. The proposal must be signed by an authorized representative of the Proposer. The Cost Proposal must be submitted in the same email as the Technical Proposal above, (via email to [3DCA-Info@jud.ca.gov](mailto:3DCA-Info@jud.ca.gov)) but should be a **separate attachment** from the technical proposal and be marked “**COST PROPOSAL.**”
- 5.3 Submission acceptance will be based on the date and time the emails are received by the Court. Emails must be received prior to the due date and time, or the proposal will not be accepted. For the purposes of this RFP,

proposals shall be transmitted only by email to [3DCA-Info@jud.ca.gov](mailto:3DCA-Info@jud.ca.gov). Due to the potential for email transmission delays, which may cause late receipt and non-acceptance of proposals, it is recommended that Proposers email their proposals well in advance of the due date and time.

- 5.4 The Court 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 Court or the State of California responsible for the cost of preparing the proposal. Submitted proposals may be retained for official files and may become public record.
- 5.5 The rules governing this solicitation are found in Attachment 1, Administrative Rules Governing RFPS (Non-IT Services).

## **6.0 PROPOSAL CONTENTS**

- 6.1 Technical Proposal. The following information must be included in the technical proposal. A proposal lacking any of the following information may be deemed non-responsive.
  - a. The Proposer's name, address, telephone number, and federal tax identification number. Note that if the Proposer is a sole proprietor using his or her social security number, the social security number will be required before finalizing a contract.
  - b. Name, title, address, telephone number, and email address of the individual who will act as the Proposer's designated representative for purposes of this RFP.
  - c. For each key staff member: a resume describing the individual's background and experience, as well as the individual's ability and experience in conducting the proposed services. Describe key staff's knowledge of the requirements necessary to complete the mediation training.
  - d. A resume must be provided for each individual proposed to service the contract. An acceptable resume shall include the person's education, any applicable credentials and/or certifications, current work history and a summary of experience and any knowledge to support the skills outlined in Section 2.3 as well as the individual's ability and experience in conducting the proposed activities. Sufficient detail must be included in each resume to allow the Court to verify the experience cited.
  - e. Names, addresses, and telephone numbers of a minimum of three (3) clients for whom the Proposer has conducted similar services. The Court may check references listed by the Proposer.

- f. The Proposer’s overall plan with time estimates for completion of all work required and proposed method to complete the work. Proposals will be evaluated by the Court using the following criteria:
  - i. Quality of the work plan submitted;
  - ii. Experience on similar assignments;
  - iii. Credentials of staff to be assigned to the project;
  - iv. Ability to meet the timing requirements to complete the project;
  - v. Reasonableness of cost projections;
  - vi. Acceptance of Terms and Conditions;
- g. Acceptance of the Terms and Conditions.
  - i. On **Attachment 3**, the Proposer must check the appropriate box and sign the form. If the Proposer marks the second box, it must provide the required additional materials. An “exception” includes any addition, deletion, or other modification.
  - ii. If exceptions are identified, the Proposer must also submit (i) a red-lined version of the Terms and Conditions that implements all proposed changes, and (ii) a written explanation or rationale for each exception and/or proposed change.
  - iii. **Note: A material exception (addition, deletion, or other modification) to a Minimum Term will render a proposal non-responsive. The Court, in its sole discretion, will determine what constitutes a material exception.**
- h. Certifications, Attachments, and other requirements.
  - i. The Proposer must complete the General Certifications Form (**Attachment 4**) and submit the completed form with its proposal.
  - ii. The Proposer must complete the Darfur Contracting Act Certification (**Attachment 5**) and submit the completed certification with its proposal.
  - iii. If Proposer is a California corporation, limited liability company (“LLC”), limited partnership (“LP”), or limited liability partnership (“LLP”), then the Proposer shall include in their Proposal a copy of the Certificate of

Status from the Secretary of State of California that Proposer is in good standing in California.

If Proposer is a foreign corporation, LLC, LP, or LLP, and Proposer will conduct (if awarded the contract) intrastate business in California, proof that Proposer is qualified to do business and in good standing in California. If Proposer is a foreign corporation, LLC, LP, or LLP, and Proposer does not (and will not if awarded the contract) conduct intrastate business in California, then Proposer shall include in their Proposal proof that Proposer is in good standing in its home jurisdiction.

**Note:** Proposer may be required to register with the California Secretary of State if it meets the definition of transacting intrastate business or “doing business” under the California Corporations Code. As there is no easy definition for what constitutes “doing business,” it is important for Proposer to carefully evaluate their own connections—even indirect—to California. Proposers with concerns regarding the Secretary of State registration requirements are encouraged to consult with their legal counsel.

You can find out information regarding the steps on how to register a business with the California Secretary of State at:

<https://bizfileonline.sos.ca.gov/>

- iv. Copies of the Proposer’s (and any subcontractors’) current business licenses, professional certifications, or other credentials.
- v. Proof of financial solvency or stability (e.g., balance sheets and income statements).
- vii. The Proposer must submit the completed Payee Data Record Form (STD 204) with its proposal. Form and instructions are in fillable PDF format available in the link below:  
<https://www.documents.dgs.ca.gov/dgs/fmc/pdf/std204.pdf>
- viii. Payee Data Record Supplement (STD 205), if applicable. The STD 205 is optional, and it is required only if the remittance address information is different than the mailing address on the STD 204 form. Form and instructions are in fillable PDF format available in the link below
- ix. <https://www.documents.dgs.ca.gov/dgs/fmc/pdf/std@05.pdf>
- x. By submitting the Proposal, the Proposer certifies that: (i) it is in compliance with economic sanctions imposed pursuant to applicable laws by the U.S. government in response to Russia's actions in Ukraine, as well as any sanctions imposed under state law (collectively, “Economic Sanctions”); and (ii) it is not a target of Economic Sanctions. If the Court determines that the



Proposer is not in compliance with Economic Sanctions or is a target of Economic Sanctions, that shall be grounds for rejection of its Proposal.

6.2 Cost Proposal. The following information must be included in the cost proposal.

- i. A detailed line-item budget showing total cost of the proposed services.
- ii. A full explanation of all budget line items in a narrative entitled “Budget Justification.”
- iii. A “not to exceed” total for all work and expenses payable under the contract, if awarded.

## 7.0 OFFER PERIOD

A Proposer's proposal is an irrevocable offer for ninety (90) days following the proposal due date. In the event a final contract has not been awarded within this period, the Court reserves the right to negotiate extensions to this period.

## 8.0 EVALUATION OF PROPOSALS

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

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

If a contract is awarded, the Court will post an intent to award notice at

<https://appellate.courts.ca.gov/district-courts/3dca>

CRITERIA	MAXIMUM NUMBER OF POINTS
Quality of work plan submitted	15
Experience on similar assignments	15
Reasonableness of cost projection	50
Credentials of staff to be assigned to the project	10
Acceptance of the Terms and Conditions	5

CRITERIA	MAXIMUM NUMBER OF POINTS
Ability to meet timing requirements to complete the project	5
<b>TOTAL</b>	<b>100</b>

## 9.0 INTERVIEWS

The Court may conduct interviews with Proposers to clarify aspects set forth in their proposals or to assist in finalizing the ranking of top-ranked proposals. The interviews may be conducted in person or by phone. If conducted in person, interviews will be held at the Court's offices. The Court will not reimburse Proposers for any costs incurred in traveling to or from the interview location. The Court will notify eligible Proposers regarding interview arrangements.

## 10.0 CONFIDENTIAL OR PROPRIETARY INFORMATION

**PROPOSALS ARE SUBJECT TO DISCLOSURE TO THIRD PARTIES AND MEMBERS OF THE PUBLIC PURSUANT TO APPLICABLE LAWS, INCLUDING PUBLIC DISCLOSURE PURSUANT TO RULE 10.500 OF THE CALIFORNIA RULES OF COURT.** Except as required by law, the Court will not disclose (i) social security numbers, or (ii) balance sheets or income statements submitted by a Proposer that is not a publicly traded corporation. All other information in proposals may be disclosed in response to applicable public records requests, or as otherwise required by law. Such disclosure may be made regardless of whether the proposal (or portions thereof) is marked "confidential," "proprietary," "copyright ©," or otherwise, and regardless of any statement in the proposal (a) purporting to limit the Court's right to disclose information in the proposal, or (b) requiring the Court to inform or obtain the consent of the Proposer prior to the disclosure of the proposal (or portions thereof). Any proposal that is password protected, or contains portions that are password protected, may be rejected. Submission of any proposal pursuant to this RFP constitutes acknowledgment and consent by the Proposer to the potential public disclosure of its proposal content, pursuant to this Section 10.0. **Proposers are accordingly cautioned not to include confidential, proprietary, or privileged information in proposals.**

## 11.0 DISABLED VETERAN BUSINESS ENTERPRISE INCENTIVE

The Court has waived the inclusion of DVBE participation in this solicitation.

## **12.0 PROTESTS**

Any protests will be handled in accordance with Chapter 7 of the Judicial Branch Contracting Manual (see <https://courts.ca.gov/system/files/jbcl-manual.pdf>). Failure of a Proposer to comply with the protest procedures set forth in that chapter will render a protest inadequate and non-responsive and will result in rejection of the protest. The deadline for the Court to receive a solicitation specifications protest is the proposal due date. In order to be considered valid, all such protests must be submitted by email to: [3dca-Info@jud.ca.gov](mailto:3dca-Info@jud.ca.gov). (Indicate in the email subject line “PROTEST,” RFP NUMBER, AND NAME OF YOUR FIRM).