

REQUEST FOR PROPOSALS

JUDICIAL COUNCIL OF CALIFORNIA

**REGARDING:
REVIEW OF UNIFORM CHILD SUPPORT GUIDELINE
CFCC-2021-04-LV**

**PROPOSALS DUE:
APRIL 23, 2021 NO LATER THAN 3:00 P.M. PACIFIC TIME**

1.0 BACKGROUND INFORMATION

1.1 BACKGROUND

The Judicial Council of California (JCC), chaired by the Chief Justice of California, is the chief policy making agency of the California judicial system. The California Constitution directs the JCC 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 JCC also adopts rules for court administration, practice, and procedure, and performs other functions prescribed by law. The JCC staff assists both the council and its chair in performing their duties.

1.2 CENTER FOR FAMILIES, CHILDREN & THE COURTS

The JCC's Center for Families, Children & the Courts (CFCC) will coordinate this project. The CFCC focuses on juvenile and family projects that improve the lives of children through positive changes in the trial and appellate courts' handling of matters involving children and families.

The Child Support Commissioner and Family Law Facilitator Program (Assembly Bill 1058) is a mandated statewide program to expedite child support cases. The JCC administers it by adopting rules and forms, setting standards for the Office of the Family Law Facilitator, overseeing budget administration, and in other ways ensuring successful implementation of the program.

A cooperative agreement, number 10-0864-1920, between the Department of Child Support Services (DCSS) and the JCC provides for two-thirds (2/3) funding originating from the federal government and Trial Court Improvement Funds provide the one-third (1/3) state match needed to conduct the quadrennial review. The Child Support Commissioner and Family Law Facilitator Program is charged with the oversight of the JCC's review of statewide uniform child support guidelines.

1.2.1 The fact sheet for the Child Support Commissioner and Family Law Facilitator Program (Assembly Bill 1058) is located at:

<http://www.courts.ca.gov/documents/Child-Support-Fact-Sheet.pdf>

CFCC's web site is located at: <http://www.courts.ca.gov/programs-cfcc.htm>

1.3 REVIEW OF STATEWIDE UNIFORM CHILD SUPPORT GUIDELINE

1.3.1 California has adopted a child support guideline in compliance with federal law, 42 U.S.C. section 667(a). California Family Code section 4054(a) provides that the "Judicial Council shall periodically review the statewide uniform guideline to

recommend to the Legislature appropriate revisions.” California’s guideline is found at Family Code sections 4050–4076.

Federal law also requires that child support guidelines be reviewed by the state at least once every four years to “ensure that their application results in the determination of appropriate child support award amounts,” as promulgated by 42 U.S.C. section 667(a).

- 1.4 The purpose of this Request for Proposals is to secure a contract to provide the services of a Proposer with expertise in the evaluation of child support guidelines.

2.0 DESCRIPTION OF SERVICES AND DELIVERABLES

TERM

The services are expected to be performed for a period of approximately eight (8) months with an *estimated* starting date of May 11, 2021 through January 15, 2022.

SCOPE OF SERVICES

- 2.1 All research plans must be approved by the JCC AB 1058 Program Manager prior to performing work.

All written reports should adhere to the latest version of the JCC Style Guide and any other related report guidelines, templates, etc. as directed by the JCC when submitting written work and be transmitted in a hardcopy format as required by the JCC and electronically in an editable Microsoft Word format. All charts, tables, and graphics must be submitted in an editable format as well. The Proposer must submit an annotated bibliography and hard copies of all source materials used with each deliverable (and include an electronic link to an online source if available).

- 2.2 Prepare an updated review and analysis of current and historical economic research on the cost of raising children, including a critical analysis of the economic analyses used to construct child support guidelines.

Submit written report in a Microsoft Word format including a written justification for additional original research or analysis based on gaps in previous research or no research completed since 2017, as well as any research limitations or challenges encountered while conducting this part of the study.

- 2.3 Identify representational courts and update statewide and study county sample size calculation for the case file review. Work with the AB 1058 Program Manager or designee to ensure the sampling strategy yields sufficient data for the analysis. Conduct an analysis on the actual application of the guideline using case file data (from approximately 1,000 case files). Provide a detailed plan for the handling of collected case file review data including a timeline on data management.

Written report should also address the following:

- 2.3.1 Detailed analysis of the actual application of the guideline and how often courts deviate from the child support guideline, including the reasons given for the deviation.
 - 2.3.2 The rates of default and imputed child support orders and orders determined using the low-income adjustment, including how many obligors are qualified for the low-income adjustment; and
 - 2.3.3 Whether child support orders based on imputation of income take into consideration the specific circumstances of custodial parents (CPs) and non-custodial parents (NCPs), such as residence, employment and earnings history, job skills, educational attainment, literacy, age, health, criminal history.
- 2.4 Conduct literature reviews, examine, and provide written report on the following special topics:
- 2.4.1 A review and examination of other states' policy models on presumed income and imputed income (i.e., ability to pay) practices.
 - 2.4.2 A review and examination of the federal final rule regarding child support guidelines, including:
 - 1) Consideration of economic data on the cost of raising children, labor market data by occupation and skill-level for state and local job markets, the impact of guidelines policies and amounts on parents who have family incomes below 200% of the Federal poverty level, and factors that influence employment rates among NCPs and compliance with child support orders;
 - 2) Use of all actual earnings and income of CPs and NCPs;
 - 3) Consideration of the basic subsistence needs of CPs and children and of NCPs who have a limited ability to pay by incorporating a low-income adjustment, such as a self-support reserve or some other method determined by the State;
 - 4) When imputation of income is authorized, consideration of the specific circumstances of CPs and NCPs, including such factors as the parent's assets, residence, employment and earnings history, job skills, educational attainment, literacy, age, health, criminal record and other employment barriers, and record of seeking work. Labor market data (such as unemployment rates, employment rates, hours worked, and earnings) by occupation and skill-level for the State and local job markets, and factors that influence employment rates among noncustodial parents and compliance with child support orders [as required by 42 Code of Federal Regulations part 302.56(h)(1)]; and,
 - 5) Whether the provisions under California law that allow the Local Child

Support Agency (LCSA) to request an initial child support order be based on presumed income when the income of the NCP is unknown to the LCSA [see Family Code sections 17400(d)(2), 17404.1(b)] comply with the federal final rule [as set forth in 42 Code of Federal Regulations part 302.56(c)(1)(iii)].

2.4.3 A review and examination of the following other special topics:

- 1) A comparison of payments on child support orders by case characteristics, including whether the order was entered by default, based on imputed income, based on presumed income or determined using the low-income adjustment; and,
- 2) Consideration of economic data on the cost of raising children, including an analysis of whether the “anchor” of 0.25 in the K-factor should be adjusted based on this economic data, the impact of any adjustment to the K-factor to all ranges of total family income, an analysis of whether the four income bands should be adjusted for inflation or should be expanded.

2.5 Organize and conduct one (1) focused discussion group involving child support commissioners on the interpretation of the case file review findings. Organize and conduct one (1) focused discussion group with the Department of Child Support Services (DCSS) and a representative sample of their Local Child Support Agencies (LCSAs) - selected after consultation with DCSS. Organize and conduct one (1) focused discussion group including a broad cross-section of advocacy groups representing custodial parents, noncustodial parents, and children, parents, including low-income parents and other interested stakeholders. All focus groups will be conducted via videoconference.

The focused discussion group will elicit feedback on the fairness, appropriateness, and comprehensibility of the current guideline, the interpretation of the case file review findings and solicit stakeholder input on access to justice to identify best practices. Develop list of discussion questions for each focus group in consultation with the JCC AB 1058 Program Manager. Submit written report on focus group themes and findings to be included in the final report.

2.6 Compare results of the current guideline review to results from previous California guideline studies and from studies conducted in other states. This study should be informed by the Review of Statewide Uniform Child Support Guideline from 1998, 2001, 2005, 2010, and 2017. All studies were conducted by the JCC and are available for review at: <https://www.courts.ca.gov/cfcc-publications.htm>.

2.7 Provide results and conclusions useful for the development of draft policy recommendations. Collaborate with the JCC AB 1058 Program Manager and other JCC staff, as appropriate, to develop draft policy recommendations based on the findings from the updated review of economic data on the cost of raising children, the case file review, focus groups, and the various literature reviews. Policy recommendations should include an analysis of the data from case file reviews to ensure that deviations from the guidelines are limited and guideline amounts are appropriate based on federal and state

law. Policy recommendations should also include an analysis of the impact of California’s low-income adjustment based on findings from the literature reviews and analysis of case file data. Specific recommendations should be made on 1) whether the current low-income adjustment is appropriate, 2) whether the current low-income adjustment amount is sufficient to comply with federal regulation requirement for meeting the basic subsistence needs of the noncustodial parent. , and 3) whether the annual adjustments to the low-income adjustment should be ties to some source other than the California Consumer Price Index for All Urban Consumers to ensure adequate protections for low-income parents.

- 2.8 Provide the JCC AB 1058 Program Manager with an initial draft report of all the findings of the research estimated to be no later than September 7, 2021, and a revised final report by no later than September24, 2021.
- 2.9 Participate in two (2) videoconference or teleconference meetings and bi-weekly telephone conferences with the JCC AB 1058 Program Manager and other JCC staff, as appropriate, to review the development of research design, data analysis procedures and research methodology, and written reports and be responsive to emails and phone calls from the JCC AB 1058 Program Manager on an ongoing basis.
- 2.10 DELIVERABLES AND *ESTIMATED* DUE DATES: The Proposer will be asked to do the following, by the dates listed to the right of each deliverable:

2.10.1 Deliverable 1: Meeting with JCC AB 1058 Program Management

Deliverable 1	<i>Estimated Due Date</i>
Submit a written summary and recommendations to program manager.	On or before May 24, 2021
First videoconference or teleconference meeting.	
Second videoconference or teleconference meeting.	

2.10.2 Deliverable 2: Case File Review Sample Size Calculation

Deliverable 2	<i>Estimated Due Date</i>
Review the statewide and sample county census and corresponding Department of Child Support Services (DCSS) data and update the sample size calculation for each of the study counties in the case file review in consultation with the JCC AB 1058 Program Manager.	On or before June 7, 2021
Submit a Microsoft Excel spreadsheet detailing calculations and formulas used, including a written summary of how figures were derived.	

2.10.3 Deliverable 3: Research on the Cost of Raising Children

Deliverable 3	<i>Estimated Due Date</i>
Prepare an updated review and analysis of current and historical economic research on the cost of raising children, including a critical analysis of the economic analyses used to construct child support guidelines.	On or before June 21, 2021
Submit written report in a Microsoft Word format including a written justification for additional original research or analysis based on gaps in previous research or on research completed since 2017, as well as any research limitations or challenges encountered while conducting this part of the study.	

2.10.4 Deliverable 4: Literature Reviews on Special Topics

Deliverable 4	<i>Estimated Due Date</i>
Submit written report(s) in a Microsoft Word format of literature review findings, as well as any research limitations or challenges encountered while conducting this part of the study. Include the literature reviews for the three items below.	On or before July 19, 2021
Research and discuss policy implications of the federal final rule regarding child support guidelines (https://www.govinfo.gov/content/pkg/FR-2016-12-20/pdf/2016-29598.pdf) in a written review. The Items to be included are identified in section 2.4.2 above.	
A written review and examination of the other special topics identified in Section 2.4.3 above.	
A written review and examination of other states' policy models on presumed income and imputed income (i.e., ability to pay) practices.	

2.10.5 Deliverable 5: Case File Review Data Analysis

Deliverable 5	<i>Estimated Due Date</i>
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<p>Submit detailed written final plan for identifying the sample courts and the handling of collected case file review data and written report development. Include data management timeline of data entry procedures, data validation techniques, research methodology, and proposed statistical tests.</p> <p>Submit electronic database of data entered from case file review in both Microsoft Excel and .csv formats, include coding sheet. Submit uniformly formatted charts, tables, and graphics of analyzed data, in addition to copies of syntax and formulas used to run various statistical tests and data analyses, and a written summary of how these numbers were derived.</p> <p>Submit written report in a Microsoft Word format of case file review findings and results and litigant characteristics as reflected in previous California child support guideline studies, as well as any research limitations or challenges encountered while conducting this part of the study. The report shall include the Items identified in Section 2.3 above.</p>	<p>On or before August 9, 2021</p>
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2.10.6 Deliverable 6: Focus Groups

Deliverable 6	<i>Estimated Due Date</i>
<p>Submit detailed written final plan describing focus group timeline, recruitment and sampling strategy to ensure statewide representativeness, organization, facilitation, transcription, audio recording, and written report development for all three groups as identified in Section 2.5 above. At least one child support commissioner from each of the study counties should be included in the discussion on the interpretation of case file review findings.</p> <p>Submit written report in a Microsoft Word format of focus group themes and findings, as well as any research limitations or challenges encountered while conducting this part of the study.</p> <p>Submit digital copies of audio recordings and written transcripts from all three focused discussion groups.</p>	<p>On or before August 23, 2021</p>

2.10.7 Deliverable 7: Draft Report

Deliverable 7	<i>Estimated Due Date</i>
<p>Submit a report with written policy recommendations based on findings from the current guideline study in addition to previous California guideline studies and studies from other states. The following criteria should be used when making the policy recommendations:</p> <p>1) ensure that the guideline results in appropriate child support orders,</p>	<p>On or before September 7, 2021</p>

<p>2) ensure that the guideline limits deviations, and 3) ensure that the guideline is in compliance with federal law.</p> <p>Submit a written final draft report in a Microsoft Word format. The final draft report should include the written reports from deliverables 1-7 (as identified above), in addition to the policy recommendations.</p>	
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2.10.8 Deliverable 8: Final Report

Deliverable 8	<i>Estimated Due Date</i>
<p>Submit a revised final report based on feedback from the program manager. This final report will include an introduction describing the background of the study, in addition to a conclusion that also addresses any research limitations or challenges encountered while conducting the study.</p>	<p>On or before September 24, 2021</p>

2.10.9 Deliverable 9: Telephone and Email Contact with JCC AB 1058 Program Management

Deliverable 9	<i>Estimated Due Date</i>
<p>Consult with the JCC AB 1058 Program Manager, JCC staff, or designee via telephone on a biweekly basis and be responsive to emails and phone calls from the JCC AB 1058 Program Manager on an as-needed basis. Every other week schedule, including day and time, to be arranged.</p>	<p>On or before October 8, 2021</p>

2.10.10 Deliverable 10: Telephone and Email Contact with JCC AB 1058 Program Management

Deliverable 10	<i>Estimated Due Date</i>
<p>Proposer will be available on an on-going basis through December 1, 2021, to respond to any questions regarding methodology and study findings that may arise during the public comment or review by the JCC.</p>	<p>On or before January 15, 2022</p>

2.11 Authority and Approval

The Proposer is not authorized to make final and binding decisions or approvals on behalf of the JCC. As required in this Agreement, the Proposer will obtain the necessary approvals from the AB 1058 Program Manager and/or the Contracts Manager as may be required.

2.12 Monthly Project Status

The Proposer shall submit monthly project status reports to the Project Manager, describing work performed, work status, work progress difficulties encountered, remedial actions, and statement of activity anticipated subsequent to reporting period for approval prior to payment of invoices. Invoices shall include, in detail, all costs and charges applicable.

2.13 Proposer Responsibilities

2.13.1 The Proposer's Project Manager will have the following responsibilities under this Contract:

- 1) Works closely with JCC AB 1058 Program Manager;
- 2) Manages, prepares and refines the Contract's deliverables;
- 3) Proactively assists with resolution of issues with any aspect of the Work;
- 4) Proactively anticipates Project deviations and is responsible for taking immediate corrective action; and
- 5) Works with Program Manager to manage and coordinate work and knowledge transfer.

2.13.2 The Proposer's Key Personnel will have the following responsibilities under this Contract:

- 1) Works closely with Proposer's Project Manager and JCC AB 1058 Program, Manager, as appropriate, to accomplish Deliverables;
- 2) Proactively assists with preparing and refining the Contract's deliverables;
- 3) Proactively assists with identification and resolution of issues with any aspect of the Work; and
- 4) Assists with performing work and knowledge transfer.

2.14 JCC Responsibilities

The JCC AB 1058 Program Manager will be responsible for managing, scheduling, and coordinating all Project activities, including Project plans, timelines, and resources, and escalating issues for resolution to JCC management.

3.0 TIMELINE FOR THIS RFP

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

EVENT	DATE
RFP issued	April 6, 2021

EVENT	DATE
Deadline for questions to solicitations@jud.ca.gov	April 14, 2021 at 3:00 PM (PST)
Latest date and time proposal may be submitted	April 23, 2021 at 3:00 PM (PST)
Evaluation of proposals (<i>estimate only</i>)	April 23-28, 2021
Notice of Intent to Award (<i>estimate only</i>)	April 30, 2021
Negotiations and execution of contract (<i>estimate only</i>)	May 3-10, 2021
Contract start date (<i>estimate only</i>)	May 11, 2021
Contract end date (<i>estimate only</i>)	January 15, 2022

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 this solicitation.
Attachment 2: JCC Standard Terms and Conditions	If selected, the person or entity submitting a proposal (the “Proposer”) must sign a JCC 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. Note: A material exception to a Minimum Term will render a proposal non-responsive.
Attachment 4: General Certifications Form	The Proposer must complete the General Certifications Form and submit the completed form with its proposal.

ATTACHMENT	DESCRIPTION
Attachment 5: Darfur Contracting Act Certification	The Proposer must complete the Darfur Contracting Act Certification and submit the completed certification with its proposal.
Attachment 6: Payee Data Record Form	This form contains information the JCC requires in order to process payments and must be submitted with the proposal.
Attachment 7: Disabled Veteran Business (DVBE) Declaration	Complete this form only if Proposer wishes to claim the DVBE incentive associated with this solicitation.
Attachment 8: Disabled Veteran Business (DVBE) Certification-Bidder Declaration	Complete this form only if Proposer wishes to claim the DVBE incentive associated with this solicitation.

5.0 PAYMENT INFORMATION

Payment information is provided on the pertinent sections in this document, in the attachments and exhibits including but not limited to Sections [2.12](#) and [7.4.1](#) of this document and Attachments 1 and 2.

6.0 SUBMISSIONS OF PROPOSALS

6.1 Proposals should provide straightforward, concise information that satisfies the requirements of the “Proposal Contents” section below. Emphasis should be placed on conformity to the RFP’s instructions and requirements, and completeness and clarity of content.

6.2 The Proposer must submit its proposal in two parts, the Technical Non-Cost portion of the proposal and the Cost portion of the proposal.

a. Technical Proposal - The Proposer must submit via email their non-cost portion of the Proposal as a separate Attachment from the cost portion of the proposal to the Solicitations mailbox at solicitations@jud.ca.gov.

1. The Technical Proposal must be signed by an authorized representative of the Proposer.

2. The Proposer must indicate on the Subject line of the submission email the RFP title and number and also indicate the RFP number and title on the Proposal attachments.

- b. **Cost Proposal** - The Proposer must submit via email their Cost Proposal as a separate Attachment from the Technical Proposal to the Solicitations Mailbox at solicitations@jud.ca.gov.
 1. The Cost Proposal must include all components required in Section
 2. The Proposer must indicate on the Subject line of the submission email the RFP title and number and also indicate the RFP number and title on the Proposal attachments.
- c. Submission acceptance will be based on the date and time the emails are received by the Judicial Council. Both emails must be received no later than the due date and time or the proposal will not be accepted.

7.0 PROPOSAL CONTENTS

- 7.1 Non-Cost Portion. The following information must be included in the non-cost technical proposal. A proposal lacking any of the following information may be deemed non-responsive.
 - a. The Proposer's name, address, telephone and fax numbers, 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 activities.
 - d. Names, addresses, and telephone numbers of clients for whom the Proposer has conducted similar services. The JCC may check references listed by the Proposer.
 - e. Proposed method to complete the work.
 - f. 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 shows all proposed changes, and
 - (ii) a written explanation or rationale for each exception and/or proposed change.
- g. 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”), proof that Proposer is in good standing in California.

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

- 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).

7.2 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.

NOTE: It is unlawful for any person engaged in business within this state to sell or use any article or product as a “loss leader” as defined in Section 17030 of the Business and Professions Code.

7.3 Specifics of a Responsive Technical Proposal

Responsive proposals should provide straightforward, concise information that satisfies the requirements noted above. Emphasis should be placed on conformity to the JCC's instructions, requirements of this RFP, and completeness and clarity of content.

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

7.3.1 Quality of work plan submitted.

7.3.2 Approach:

7.3.2.1 Proposed process necessary to address the overall project objectives;

7.3.2.2 Proposed method to conduct and manage the project's various literature reviews, including proposed data sources and approach to analyzing and synthesizing findings;

7.3.2.3 Proposed research methodology for the case file review including sampling strategy, data management procedures, data security and data verification procedures, and approach to analysis and synthesis of results;

7.3.2.4 Proposed method to conduct and organize focus groups, including participant recruitment strategy and development of discussion questions;

7.3.2.5 Proposed project and team organization; and

7.3.2.6 Proposed approach of obtaining Project Manager's review and approval of all research design elements and deliverables developed for the project.

7.3.3 Credentials of key personnel to be assigned to project.

7.3.3.1 Proposer has demonstrated experience with similar child support guideline evaluations and/or professional research skills in evaluating large data sets involving social policy in its implementation through the legal system;

7.3.3.2 Proposer is familiar with quantitative and qualitative research design and analysis; and

7.3.3.3

7.3.3.4 Proposer has demonstrated knowledge and understanding of child support guideline principles, policies, and program implementation.

7.3.4 Experience of key personnel working on similar assignments.

- 7.3.5 Experience of key personnel in each of the following areas:
 - 7.3.5.1 Proposer's key personnel has demonstrated experience with research design, quantitative analysis, conducting focus groups, and preparing literature reviews;
 - 7.3.5.2 Proposer's key personnel has demonstrated experience using commonly accepted statistical analysis software such as Statistical Package for the Social Sciences (SPSS), Statistical Analysis Software (SAS) or R for quantitative data analysis, coding data, and displaying data in graphical form;
 - 7.3.5.3 Proposer's key personnel have demonstrated knowledge and understanding of social policy analysis; and
 - 7.3.5.4 Proposer has demonstrated an ability to work collaboratively with an administrative policymaking agency in analyzing data, program evaluation, and developing draft policy and/or legislative recommendations.
- 7.3.6 Provide the most recent resume and the names, physical and electronic addresses, and telephone numbers of a minimum of three (3) clients for whom the proposed key personnel has conducted similar services. The JCC may check references listed by the Proposer.
- 7.3.7 Ability to meet timing requirements to complete the Work.
 - 7.3.7.1 Plan must include time estimates for completion of all work required; and
 - 7.3.7.2 Discuss the key personnel's availability and ability to complete the work within the project schedule, set forth in Exhibit A, Work to be Performed.
- 7.3.8 Company Stability and Capabilities. Provide the following information about your company:
 - 7.3.8.1 Proposer's point of contact, including name, physical and electronic addresses, and telephone and facsimile numbers in a cover letter.
 - 7.3.8.2 Number of years your company has been in the business of research consultation.
 - 7.3.8.3 Number of full time employees.

- 7.3.8.4 Disclose any judgments, pending litigation, or other real or potential financial reversals that might materially affect the viability of the Proposer.
- 7.3.8.5 Annual gross revenue from your most recent audited or reviewed profit and loss statement and balance sheet. State the audit/review year and the annual gross revenue. The JCC may request a copy of your most recent audited or reviewed profit and loss statement and balance sheet.
- 7.3.8.6 Tax recording information. Complete and submit Attachment 4 - Payee Data Record Form. Note that if an individual or sole proprietorship, using a social security number for tax recording purposes, is awarded a contract, the social security number will be required prior to finalizing a contract.

7.4 Specifics of a Responsive Cost Proposal

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

- 7.4.1 Reasonableness of Cost Projections.
 - 7.4.1.1 As a separate document, submit a detailed line item budget showing total cost of the services for each of the ten (10) Deliverables specified in Attachment 2 Contract Terms, Exhibit A - Work to be Performed. This budget should identify unique hourly rates, titles, and responsibilities for each "Key Personnel," plus rates for any additional staff, but can group this information for other personnel in a more general manner. Staff rates should be fully burdened, including indirect costs, overhead and profit.
 - 7.4.1.2 The total cost for Proposer's services will range between \$150,000.00 and \$190,000.00, inclusive of personnel, materials, overhead rates, travel and profit. The method of payment to the Proposer will be by cost reimbursement for each of the ten (10) Deliverables specified in Attachment 2 Contract Terms, Exhibit A- Work to be Performed.

8.0 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 JBE reserves the right to negotiate extensions to this period.

9.0 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 JCC 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 will be awarded, the JCC will post an Intent to Award notice pursuant to the timeline set forth in Section 3 at: <http://www.courts.ca.gov/rfps.htm>.

CRITERION	MAXIMUM NUMBER OF POINTS
Reasonableness of cost projections <i>Reference Section 7.4.1</i>	30
Quality of work plan submitted <i>Reference Section 7.3.1</i>	16
Acceptance of Terms and Conditions	15
Credentials of key personnel to be assigned to project <i>Reference Section 7.3.3</i>	12
Experience of key personnel working on similar assignments <i>Reference Section 7.3.4</i>	12
Ability to meet timing requirements to complete the work <i>Reference Section 7.3.7</i>	8
Company Stability and Capabilities (8.3.8) <i>Reference Section 7.3.8</i>	4
Disabled Veteran Business Enterprise (DVBE) Incentive <i>Reference Section 12</i>	3

10.0 INTERVIEWS

The JCC 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, by phone, or by videoconference. If conducted in person, interviews will likely be held at the JCC’s offices. The JCC will not reimburse Proposers for any costs incurred in traveling to or from the interview location. The JCC will notify eligible Proposers regarding interview arrangements.

It may be necessary to interview prospective service providers to clarify aspects of their submittal. If conducted, interviews will likely be conducted by telephone conference call. The JCC will notify prospective service providers regarding the interview arrangements.

11.0 CONFIDENTIAL OR PROPRIETARY INFORMATION

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

12.0 DISABLED VETERAN BUSINESS ENTERPRISE INCENTIVE

- 12.1 Qualification for the DVBE incentive is not mandatory. Failure to qualify for the DVBE incentive will not render a proposal non-responsive.
- 12.2 Eligibility for and application of the DVBE incentive is governed by the JCC’s DVBE Rules and Procedures. Proposer will receive a DVBE incentive if, in the JCC’s sole determination, Proposer has met all applicable requirements. If Proposer receives the DVBE incentive, a number of points will be added to the score assigned to Proposer’s proposal. The number of points that will be added is specified in Section 9 above.
- 12.3 To receive the DVBE incentive, at least 3% of the contract goods and/or services must be provided by a DVBE performing a commercially useful function. Or, for solicitations of non-IT goods and IT goods and services, Proposer may have an approved Business Utilization Plan (“BUP”) on file with the California Department of General Services (“DGS”).
- 12.4 If Proposer wishes to seek the DVBE incentive:
 - i. Proposer must submit with its proposal a DVBE Declaration (Attachment 7) completed and signed by each DVBE that will provide goods and/or services in connection with the contract. If Proposer is itself a DVBE, it must complete and sign the DVBE Declaration. If Proposer will use DVBE subcontractors, each DVBE subcontractor must complete and sign a DVBE Declaration. NOTE: The DVBE Declaration is not required if Proposer will qualify for the DVBE incentive using a BUP on file with DGS.

- ii. Proposer must complete and submit with its proposal the Bidder Declaration (Attachment 8). Proposer must submit with the Bidder Declaration all materials required in the Bidder Declaration.
- 12.5 Failure to complete and submit these forms as required will result in Proposer not receiving the DVBE incentive. In addition, the Judicial Council may request additional written clarifying information. Failure to provide this information as requested will result in Proposer not receiving the DVBE incentive.
- 12.6 If this solicitation is for IT goods and services, the application of the DVBE incentive may be affected by application of the small business preference. For additional information, see the JCC's Small Business Preference Procedures for the Procurement of Information Technology Goods and Services.
- 12.7 If Proposer receives the DVBE incentive: (i) Proposer will be required to complete a post-contract DVBE certification if DVBE subcontractors are used; (ii) Proposer must use any DVBE subcontractor(s) identified in its proposal unless the JCC approves in writing the substitution of another DVBE; and (iii) failure to meet the DVBE commitment set forth in its proposal will constitute a breach of contract.

FRAUDULENT MISREPRESENTATION IN CONNECTION WITH THE DVBE INCENTIVE IS A MISDEMEANOR AND IS PUNISHABLE BY IMPRISONMENT OR FINE, AND VIOLATORS ARE LIABLE FOR CIVIL PENALTIES. SEE MVC 999.9.

13.0 PROTESTS

Any protests will be handled in accordance with Chapter 7 of the Judicial Branch Contracting Manual (see www.courts.ca.gov/documents/jbcl-manual.pdf). Failure of a Proposer to comply with the protest procedures set forth in that chapter will render a protest inadequate and non-responsive, and will result in rejection of the protest. The deadline for the JCC to receive a solicitation specifications protest is the proposal due date. Protests must be sent to: Solicitations@jud.ca.gov

Judicial Council of California
Attn: Protest Officer, RFP No. CFCC-2021-04-LV
455 Golden Gate Avenue, 6th Floor
San Francisco, CA 94102-3688