

RFP Title: SB331 CURRICULUM DEVELOPMENT & TRAINING
RFP Number: CFCC24-187RB

REQUEST FOR PROPOSALS

JUDICIAL COUNCIL OF CALIFORNIA

**REGARDING: SB331 CURRICULUM DEVELOPMENT &
TRAINING**

RFP NUMBER: RFP CFCC24-187RB

PROPOSALS DUE: *December 16, 2024*, NO LATER THAN *3:00* P.M.
PACIFIC TIME

1.0 BACKGROUND INFORMATION

- 1.1 The Judicial Council of California (“Judicial Council”) is the policymaking body of the California court system, which includes 58 superior courts, the courts of appeal, and the Supreme Court. Under the authority of the state’s Constitution and with the leadership of the Chief Justice of the California Supreme Court, the Judicial Council is responsible for ensuring the fair, impartial, and consistent administration of justice. The Judicial Council promulgates rules and procedures for court administration, develops and implements policies for the judicial branch, and makes recommendations annually to the Governor and the Legislature. Judicial Council staff assist the Judicial Council with implementing policies and supporting court operations. The Judicial Council’s Center for Families, Children & the Courts (“CFCC”) supports programs in court settings that improve practice and services for children, youth, parents, families, and other court users.
- 1.2 The Family Court Services (FCS) Program within the CFCC provides training, technical assistance, consultation, and support to court-based programs that serve families and children involved in child custody and visitation disputes. The program supports trial court staff who provide family and child custody mediation, evaluation, and other related services.
- 1.3 Senate Bill (SB) 331 (Stats. 2023, Ch. 865) was approved by the Governor in October 2023. The legislation established the Keeping Children Safe from Family Violence Act and adds Section 3193 to the Family Code, and amends Section 68555 of, and to add Section 68555.5 to, the Government Code, relating to child custody. These amendments took effect on November 17, 2023.
- 1.4 The Keeping Children Safe from Family Violence Act was enacted to enhance child safety in family court custody proceedings. SB 331 requires the Judicial Council establish judicial training programs for individuals who perform duties in domestic violence matters, including, but not limited to, judges, commissioners, mediators, child custody recommending counselors, evaluators, and others as deemed appropriate by the Judicial Council. Development of the curriculum should take into consideration the experience and education levels of the target audience related to the subject matter at hand; experience level may range from moderate to proficient. The training program shall be an ongoing training and education program designed to improve the ability of courts to recognize and respond to child physical abuse, child sexual abuse, domestic violence, and trauma in family victims, particularly children, and to make appropriate custody decisions that prioritize child safety and well-being and are culturally sensitive and appropriate for diverse communities. The curriculum should focus on identifying safety risks in domestic violence matters when developing custody and visitation orders while also balancing the legal rights of parents. .

2.0 DESCRIPTION OF SERVICES AND DELIVERABLES

2.1 The Judicial Council seeks the services of one or more person or entity with expertise in the impact of domestic violence and child abuse on family systems, child custody and visitation, and the complex cultural dynamics facing families in the court system. The Judicial Council seeks the development of a curriculum and a series of training modules to court connected mediators, child custody recommending counselors, evaluators, and their leadership (Family Court Services Professionals).

The contractor(s) will be expected to develop and deliver curriculum that supports some, or all the following:

1. Between ten and twelve hours of annual live virtual training.
2. Designed to:
 - improve the ability of Family Court Services professionals, and other court-connected staff who are deemed appropriate by the Judicial Council and who perform duties in domestic violence or child custody matters to recognize and respond to child abuse, domestic violence, and trauma in family victims; and
 - inform appropriate custody decisions that prioritize child safety and well-being and that are culturally sensitive and appropriate for diverse communities.
3. Legally accurate and current, including incorporating changes in the law, rules of court, and court forms.
4. Presented by individuals with subject matter expertise in the areas they are presenting on. Contractor may subcontract with other experts to serve as presenters, as needed, with approval by Judicial Council staff.
5. Include a written curriculum outline, agenda with course descriptions and learning objectives, presentation materials, and additional resources for each training module or session. Contractor will meet regularly with Judicial Council staff to review and vet curriculum, materials, and other content.
6. Include a description of any technological requirements to support the delivery of training modules.
7. Include post-tests applicable to each module's course content for on-demand training education requirements.

The funding available for this one term is a **total of \$150,000 inclusive of all expenses.**

The Judicial Council intends to award one or more Agreements with an initial term of **12 months** (Year 1) approximately from **January 10, 2025**, through **January 30, 2026**, Funding is based on the 2024 California Governor’s Office of Emergency Services Subrecipient Handbook, Part 6, Section 6.050 (Page 67 of linked document) published by this program funder, was used to establish the speaker rate. The RFP sets a maximum rate for speakers at \$650.00 per day.

2.2 General Scope of Services Requirements

2.2.1 Contractor will meet regularly with the Judicial Council and keep them updated on progress of the training series.

Contractor will plan, consult on, and create a culturally appropriate training curriculum (“Curriculum”) for a new training series that from 10 to 12-hours in length at the direction and instruction of Judicial Council. The curriculum and training topics must include:

- 1) Child sexual abuse.
- 2) Physical abuse.
- 3) Emotional abuse.
- 4) Coercive control.
- 5) Implicit and explicit bias related to parties involved in domestic violence cases.
- 6) Trauma.
- 7) Long- and short-term impacts of domestic violence and child abuse on children.
- 8) The detriment to children of residing with a person who perpetrates domestic violence.
- 9) That domestic violence can occur without a party seeking or obtaining a restraining order, without a substantiated child protective service finding, and without other documented evidence of abuse.
- 10) Victim and perpetrator behavioral patterns and relationship dynamics within the cycle of violence.

2.2.2 The successful bidder will either be a subject matter expert in the topic or able to secure a subject matter expert in the areas listed above. Further, the successful bidder will have expertise in providing educational programs to mediators, child custody recommending counselors, evaluators, attorneys, and other family court stakeholders.

2.2.3 Contractor will conduct legal, practical, clinical research on the agreed upon topic, which includes but is not limited to applicable peer-reviewed scientific journals, case law, statutes, California rules of court, relevant legal history in California or other states, ethical standards, practice guidelines, or other reputable sources for best or promising practices. Contractor will ensure content of the Curriculum will conform with the California Board of

Behavioral Sciences, American Psychological Association, and State Bar of California (the “Bar”) requirements for continuing education credit hours.

- 2.2.4 Contractor may use pre-existing proprietary or licensed third-party materials that were created independently of the resulting agreement (“Contractor IP”) as part of the Curriculum. Judicial Council may request modifications of Contractor IP (and if using licensed third-party materials, to the extent allowed by such license), which include but are not limited to updating case law. Judicial Council may also request Contractor to create new material based the legal research performed by Contractor.
- 2.2.5 The Curriculum will include the creation of: (i) Curriculum Outline; (ii) Training Plan; (iii) Course Descriptions and Measurable Learning Objectives (iv) Substantive Written Legal and Practical Material; and (v) Interactive Presentation Material, which will be reviewed for content and accuracy by Judicial Council’s Project Manager.
- 2.2.6 Contractor will present up to 12 hours of training, which will be based on the Curriculum. Contractor personnel who will present a training webinar (“Presenter”) will be a subject matter expert, such Presenter to be agreed upon in advance by the parties. Presenter at a minimum should have knowledge of the chosen training topic and have experience conducting live training or webinars on a remote video conferencing platform such as Zoom for Government.
- 2.2.7 Training date and time may be changed by written agreement by both parties.
- 2.2.8 Each of the trainings will be at least two (2) hours by Presenter over Zoom for Government, which follows the final draft of the Legal and Practical Training Plan and includes presentation of the final draft of the Interactive Training Materials and Substantive Written Legal and Practical Materials, which will be recorded by the Judicial Council Project Manager (“Video Recording”).
- 2.2.9 Prior to each training, the contractor will develop Legal and Practical Training Plan, Substantive Written Legal Materials, and Interactive Training Materials for the training topic. Draft Legal and Practical Training Plan, Substantive Written Legal Materials, and Interactive Training Materials must be completed and submitted to Judicial Council Project Manager for approval two (2) weeks prior to scheduled training event, and the final drafts must be completed and submitted to Judicial Council Project Manager for approval two (2) days prior to scheduled training. The final draft of Substantive Written Legal and Practical Materials must be made available to the training participants following the training event.

- 2.3 Legal and Practical Training Plan: A written, detailed lesson plan on each chosen topic that includes the agenda of the training, measurable learning objectives of the training, and the training activities such as the content of the Curriculum. All Legal and Practical Training Plans should include materials used for the training.
- 2.4 Substantive Written Legal and Practical Materials: One or more document(s) that will be distributed to training participants that include substantive legal and practical materials, which include but are not limited to legal references such as text of statutes, case law opinions, peer-reviewed scientific journals, ethical standards, practice guidelines, and references to secondary sources.
- 2.5 Interactive Training Materials: PowerPoint interactive training aide will be used during the training, which will include relevant training curriculum content. Such materials may include materials from Legal and Practical Training Plan or Substantive Written Legal and Practical Materials or other relevant materials.
- 2.6 Video Recording: The live training modules and Presenter will be audio-visually recorded on the remote conferencing platform Zoom for Government, a format supported by the Moodle platform, our online learning management system.
- 2.7 Tasks and Deliverables for Year 1
 - 2.7.1 **Deliverable 1**: Meet with Judicial Council staff to arrange the 10 training series topics to set expectations of Curriculum content and training, and to explain Service and Deliverable acceptance criteria to Contractor. The training should also take into consideration cultural sensitivity and the diverse communities served by our courts and the experience level and application to job duties of the target audience as described in section 1.4. At this meeting, the content of the 10 training topics will be discussed, and the first training topic will be confirmed. Contractor, Project Manager, and key personnel identified to develop Curriculum must attend the meeting. Contractor must be prepared to discuss mandatory topics for California continuing legal education credits for attorneys. **Estimated Due Date: By March 1, 2025.**
 - 2.7.2 **Deliverable 2: Curriculum Outline**: Develop and complete Curriculum Outline for ten to 12-hour training series with topic and measurable learning objectives in conjunction with Judicial Council staff. A written outline including the 10 different topics in the training series shall include: high-level overview of the content of the chosen topic; list of proposed faculty and subject matter experts; measurable learning objectives; mode, method, and format of delivering training content; and proposed materials to use for the training. **Estimated Due Date: By April 1, 2025.**
 - 2.7.3 **Deliverable 3 –Training**: Development of curriculum and delivery of 5-6 hours of content on five (5) topic areas outlined in section 2.2.1.

Development of curriculum will include the creation of: (i) Curriculum Outline; (ii) Legal and Practical Training Plan; (iii) Substantive Written Legal Material; and (iv) Interactive Presentation Material, which will be reviewed for content and accuracy by the Judicial Council Project Manager. Delivery of curriculum is providing the developed curriculum to a live audience through a virtual platform. **Estimated Due Date: By June 30, 2025.**

2.7.4 **Deliverable 4 –Training:** Development of curriculum and delivery of 5-6 hours of content on the remaining five (5) topic areas outlined in section 2.2.1. Development of curriculum will include the creation of: (i) Curriculum Outline; (ii) Legal and Practical Training Plan; (iii) Substantive Written Legal Material; and (iv) Interactive Presentation Material, which will be reviewed for content and accuracy by the Judicial Council Project Manager. Delivery of curriculum is providing the developed curriculum to a live audience through a virtual platform. **Estimated Due Date: By December 30, 2025.**

3.0 TIMELINE FOR THIS RFP

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

EVENT	DATE
RFP issued	<i>November 25, 2024</i>
Deadline for questions	<i>December 9, 2024</i>
Questions and answers posted (estimate only) www.courts.ca.gov/rfps.htm	<i>December 11, 2024</i>
Latest date and time proposal may be submitted	<i>December 16, 2024, 3:00 P.M.</i>
Evaluation of proposals (<i>estimate only</i>)	<i>December 17 to 23, 2024</i>
Notice of Intent to Award (<i>estimate only</i>)	<i>December 30, 2024</i>
Negotiations and execution of contract (<i>estimate only</i>)	<i>January 2 to January 9, 2025</i>
Contract start date (<i>estimate only</i>)	<i>January 10, 2025</i>
Contract end date (<i>estimate only</i>)	<i>January 30, 2026</i>

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: Judicial Council Standard Terms and Conditions	If selected, the person or entity submitting a proposal (the “Proposer”) must sign this Judicial Council Standard Form agreement 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.
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 6: Payee Data Record Form	This form contains information the JUDICIAL COUNCIL requires in order to process payments and must be submitted with the proposal.
Attachment 7: 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.
Attachment 8: Unruh and FEHA Certification	The Proposer must complete the Unruh Civil Rights Act and California Fair Employment and Housing Act Certification.

5.0 PAYMENT INFORMATION

Subject to the terms in Attachment 2, Appendix B, Payment Provisions, the selected provider will be paid on a firm-fixed price per Deliverable basis.

The resulting contract will be comprised of firm fixed pricing for satisfactory completion of each deliverable. The actual completion dates and firm fixed amounts will be based on the awarded proposal.

- Contractor shall submit invoices upon satisfactory completion of each deliverable.

- No other expenses including travel expenses will be reimbursed by the Judicial Council.
- Payment will be made after completion and acceptance of deliverables.
- The payment term is 60 days to pay invoices from date of acceptance of services.

6.0 SUBMISSIONS OF PROPOSALS

- 6.1 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.
- 6.2 The Proposer must submit its proposal in two parts, the technical proposal and the cost proposal.
- a. The Proposer must submit **an electronic copy** of the technical proposal. The original must be signed by an authorized representative of the Proposer. The technical proposal must be submitted to the JUDICIAL COUNCIL via email to Solicitations@jud.ca.gov. The Proposer must write the RFP title and number in the subject line of the email.
 - b. 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 to the JUDICIAL COUNCIL via email to Solicitations@jud.ca.gov. The Proposer must write the RFP title and number in the subject line of the email.
- 6.3 Proposals must be delivered by the date and time listed on the coversheet of this RFP. For the purposes of this RFP, proposals shall be transmitted only by email.
- 6.4 Late proposals will not be accepted.
- 6.5 The Judicial Council 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 Judicial Council or the State of California responsible for the cost of preparing the proposal. Submitted proposals may be retained for official files and may become a public record.

7.0 PROPOSAL CONTENTS

- 7.1 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. A cover letter containing 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. The cover letter will also include the 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. Describe the organization/entity and including the designated program manager who will service the contract. Provide a list of each key staff member, including name, title, and length of service within the organization/entity or length of collaborative working relationship, and a resume/curriculum vitae (CV) describing the individual's background and experience, as well as the individual's ability and experience in conducting the proposed activities. If collaborating partners will be a part of the project and are known, names and titles should be included; additional qualifications and experience on similar projects may be included.
 - d. A resume/CV must be provided for each individual proposed for this Agreement. An acceptable resume/CV shall include the person's education, any applicable credentials and/or certifications, current work history and a summary of experience and knowledge to support the qualifications of key personnel outlined in Section 2.2.2 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 JCC to verify the experience cited. A separate section covering the Proposer's background, Principal Officers, and Staff Qualifications and Experience.
 - e. A minimum of two (2) clients may be contacted for whom the Proposer has conducted similar services. References are to include names, addresses, telephone numbers and the email address of a contact person. The JCC staff may contact referenced clients to verify the information provided. A reference must be external to a Respondent's organization and corporate structure.
 - f. Provide Work Plan based on description of Tasks and Deliverables as defined in Section 2.7 and the proposed method to complete the work.
 - i. Project plan that outlines the proposed approach, using the general deadlines specified within this RFP:
 - ii. Sample outline of curriculum development
 - iii. Sample learning objectives

- iv. Sample evaluations, including any continuing education credits that will be given
 - v. Sample timeline for curriculum development, including any interactive and adult learning principles that will be used.
- 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, as determined by the JUDICIAL COUNCIL, in its absolute and sole discretion, to any of the terms and conditions (in Attachment 2), may render a proposal non-responsive.**
- 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 Contractor is a California corporation, limited liability company (“LLC”), limited partnership (“LP”), or limited liability partnership (“LLP”), proof that Contractor is in good standing in California. If Contractor is a foreign corporation, LLC, LP, or LLP, and Contractor conducts or will conduct (if awarded the contract) intrastate business in California, proof that Contractor is qualified to do business and in good standing in California. **The Contractor shall provide a copy of their Certificate of Status with the Secretary of State of California.** The Judicial Council may verify by checking with California's Office of the Secretary of State. If Contractor is a foreign corporation, LLC, LP, or LLP, and Contractor does not (and will not if awarded the contract) conduct intrastate business in California, **proof that Contractor 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. The Proposer must complete the Unruh Civil Rights Act and California Fair Employment and Housing Act Certification (Attachment 8) and submit the completed certification with its bid.

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

- i. Proposer to provide a detailed line-item budget for each deliverable(s) described in Section 2.1.2 and the total costs for the entire project for **year 1** should be within the range of **\$150,000**.
- ii. A “not to exceed” total for all work and expenses payable under the contract, if awarded.

Deliverable(s) Description	Estimated Completion Date	<i>Proposed Not to Exceed Firm Fixed Amount</i>
First Deliverable: Meet with Judicial Council staff about the project.	March 1, 2025	<i>\$10,000</i>
Second Deliverable: Develop and complete Curriculum Outline for the ten to 12-hour training series with topic and measurable learning objectives	April 1, 2025	<i>\$25,000</i>
Third Deliverable: Training: Development of curriculum and delivery of content on 5 topic areas.	June 30, 2025	<i>\$57,500</i>
Fourth Deliverable: Training: Development of curriculum and delivery of content on 5 remaining topic areas.	December 30, 2025	<i>\$57,500</i>

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 Professions Code.

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 JUDICIAL COUNCIL reserves the right to negotiate extensions to this period.

9.0 EVALUATION OF PROPOSALS

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

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

If a contract will be awarded, the JUDICIL COUNCIL will post an intent to award notice at Solicitations@jud.ca.gov.

CRITERION	MAXIMUM NUMBER OF POINTS
Quality of work plan submitted	30
Cost	30
Qualifications and Credentials of staff to be assigned to the project	20
Experience on similar assignments	10
Acceptance of the Terms and Conditions	5
Ability to meet timing requirements to complete the project	5

10.0 INTERVIEWS

The JUDICIAL COUNCIL may conduct interviews with Proposers to clarify aspects set forth in their proposals. The interviews may be conducted by phone or on the Zoom for Government platform. The JUDICIAL COUNCIL will notify eligible Proposers regarding interview arrangements.

11.0 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 JUDICIAL COUNCIL will not disclose (i) social security numbers, or (ii) balance sheets or income statements submitted by a Proposer that is not a publicly traded corporation. All other information in proposals 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 JBE’s right to disclose information in the proposal, or (b) requiring the JBE 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 12.0. **Proposers are accordingly cautioned not to include confidential, proprietary, or privileged information in proposals.**

12.0 DISABLED VETERAN BUSINESS ENTERPRISE INCENTIVE

The JUDICIAL COUNCIL has waived the DVBE incentive in this solicitation.

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 JUDICIAL COUNCIL to receive a solicitation specifications protest is the proposal due date. Protests must be sent to:

Judicial Council of California
Branch Accounting and Procurement
ATTN: Protest Hearing Officer
455 Golden Gate Avenue, 6th Floor.
San Francisco, CA 94103

(Indicate Solicitation Number and Name of Your Firm on lower left corner of envelope.)