



**Judicial Council of California**  
**Administrative Office of the Courts**

Office of the General Counsel  
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*General Counsel*

**TO:** ATTORNEYS AND LAW FIRMS

**FROM:** Administrative Office of the Courts  
Office of the General Counsel

**DATE:** August 29, 2001

**SUBJECT/PURPOSE OF MEMO:** REQUEST FOR PROPOSALS  
Employment Litigation Representation and Assistance to Trial Courts

**ACTION REQUIRED:** You are invited to review and respond to the attached Request for Proposal (“RFP”):  
Project Title: Trial Court Employment Litigation Assistance Program  
RFP Number: OGC083001

**DEADLINE:** There is no single deadline to respond to this RFP. The need for services is present and ongoing, and the Administrative Office of the Courts (“AOC”) will review proposals as submitted.

**SUBMISSION OF PROPOSAL:** Proposals should be sent to:  
**Judicial Council of California**  
**Administrative Office of the Courts**  
**ATTN: Alice Vilardi, Managing Attorney**  
**455 Golden Gate Avenue**  
**San Francisco, California 94102**

**CONTACT FOR FURTHER INFORMATION:**

<b>NAME:</b>	<b>TEL:</b>	<b>FAX:</b>	<b>EMAIL:</b>
Alice Vilardi	415-865-7661	415-865-7656	<a href="mailto:alice.vilardi@jud.ca.gov">alice.vilardi@jud.ca.gov</a>
Mary Roberts	415-865-7803	415-865-7664	<a href="mailto:mary.roberts@jud.ca.gov">mary.roberts@jud.ca.gov</a>

**Commencement of Performance:** Attorneys and law firms (“service providers”) may perform services after the AOC approves the service provider’s proposal, the parties enter into an agreement, and the service provider is assigned to a specific matter.

## 1.0 GENERAL INFORMATION

### 1.1 Background

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 AOC is the staff agency for the council and assists both the council and its chair in performing their duties.

### 1.2 Employment Litigation Assistance Program

The AOC seeks attorneys and law firms to represent the trial courts in all aspects of employment-related litigation including representation in court and before administrative tribunals.

The AOC will select, from the responses to this Request for Proposals, service providers qualified to provide representation and assistance to trial courts. Service providers will be selected from different geographical areas of the state. The AOC will contract with service providers using a master agreement that sets out the overall scope of the services to be provided, the obligations of the parties, the general fee agreement, and other provisions.

The program includes the following elements:

- The AOC will negotiate the rate for each service provider with which it contracts. A budget will be established for each specific assignment.

- Services provided will be representation of trial courts in employment-related litigation and administrative proceedings.
- Service providers should have broad experience in all aspects of employment litigation, including experience representing public sector employers in employment law matters.
- Upon receipt of a trial court's request for representation in employment-related litigation or administrative proceedings, the AOC will identify and retain the most appropriate service provider to represent the trial court.

## **2.0 PURPOSE OF THIS REQUEST FOR PROPOSALS**

The AOC seeks to identify and retain qualified service providers to represent trial courts in employment-related litigation and administrative proceedings. This RFP is the means for prospective service providers to submit their qualifications to the AOC and request selection as a service provider.

## **3.0 SCOPE OF SERVICES**

Services may be provided to trial courts on a nonexclusive and as-needed basis, from the period of execution of the contract to the end of the fiscal year. Agreements may be renewed for additional fiscal years. The services to be provided are:

- 3.1 Advice to trial courts on employment-related matters.
- 3.2 Representation of trial courts in employment-related litigation and administrative proceedings.

## **4.0 SPECIFICS OF RESPONSIVE PROPOSAL**

The following information must be included in the response:

- 4.1 Name, address, telephone and fax numbers, and social security number or tax identification number.

- 4.2 Five copies of the proposal signed by an authorized representative of the service provider, including name, title, address, and telephone number of one individual who is the provider's designated representative.
- 4.3 Resumes describing the background and experience of primary persons who would provide the representation and assistance.
- 4.4 If the service provider's proposal has geographic or other limitations on some or all of the services offered, these limitations should be clearly described.
- 4.5 Names, addresses, and telephone numbers of clients for whom the service provider has provided similar services. The AOC may check references listed by the service provider.
- 4.6 Responsive proposals should provide straightforward, concise information that satisfies the requirements noted above. Expensive bindings, color displays, and the like are neither necessary nor desired. Emphasis should be placed on skills and experience that respond to the needs of the trial courts, the requirements of this RFP, and completeness and clarity of content.

## **5.0 FEE PROPOSAL**

The proposal should include the service provider's proposed fee schedule. It is expected that all service providers responding to this proposal will offer the service provider's government or comparable favorable rates.

## **6.0 RIGHTS**

The AOC reserves the right to reject any and all proposals, 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 may be retained for official files and become a public record.

Only written responses will be accepted. Responses should be sent by registered or certified mail or by hand delivery. Service providers may send the AOC an advance copy by facsimile to Alice Vilardi at the fax number listed in Section 7.0 below. However, sending an advance copy by fax does not satisfy the submission requirements of paragraph 4.2.

## **7.0 PROJECT MANAGEMENT**

The Project Manager for this employment-related litigation and administrative proceedings RFP process is:

Alice Vilardi, Managing Attorney  
Office of the General Counsel  
Administrative Office of the Courts  
455 Golden Gate Ave.  
San Francisco, CA 94102  
415-865-7661 phone  
415-865-7664 fax  
*alice.vilardi@jud.ca.gov*

## **8.0 EVALUATION OF PROPOSALS**

In evaluating the proposals, the AOC will use the following criteria: the responsiveness of the proposal; the prospective service providers' experience with similar matters; the overall experience and expertise of the prospective service providers; the fee proposals; and responses to reference inquiries.

## **9.0 INTERVIEW**

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 AOC will notify prospective service providers regarding interview arrangements.

## **PROPOSED CONTRACT TERMS AND ADMINISTRATIVE RULES**

The contract with each selected service provider will include standard terms used in contracts with the State of California, as well as terms specific to the Program. Generally the terms of the contract will include, but will not be limited to: (1) completion of the project within the timeframe provided; (2) no additional work authorized without prior approval; (3) no payment without prior approval; (4) funding availability subject to Legislature; (5) termination of contract under certain conditions; (6) indemnification of the State; (7) approval by the State of any subcontractors; (8) national labor relations board, drug-free workplace, nondiscrimination, and FEHA and ADA requirements; and (9) minimum appropriate insurance requirements.

Attached to the RFP as Attachment A and incorporated in it is the document entitled "Administrative Rules Governing Requests for Proposals."