



Judicial Council of California
Administrative Office of the Courts

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RONALD M. GEORGE
Chief Justice of California
Chair of the Judicial Council

WILLIAM C. VICKREY
Administrative Director of the Courts

RONALD G. OVERHOLT
Chief Deputy Director

TO: POTENTIAL BIDDERS

FROM: Administrative Office of the Courts
Executive Office Programs

DATE: April 17, 2002

SUBJECT/PURPOSE OF MEMO: REQUEST FOR PROPOSALS
One-Day/One-Trial Jury Service Education

ACTION REQUIRED: You are invited to review and respond to the attached Request for Proposals (“RFP”):

Project Title: Jury Service Education Campaign
RFP Number:02-2

DEADLINE: **Proposals must be received by 5 p.m. on May 3, 2002**

SUBMISSION OF PROPOSAL: Proposals should be sent to:
Judicial Council of California
Administrative Office of the Courts
Attn: James Carroll
455 Golden Gate Avenue
San Francisco, CA 94102

CONTACT FOR FURTHER INFORMATION:

| | | | |
|---------------|--------------|--------------|--------------------------|
| NAME: | TEL: | FAX: | E-MAIL: |
| James Carroll | 415-865-7451 | 415-865-4334 | james.carroll@jud.ca.gov |

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 Administrative Office of the Courts (AOC) is the staff agency for the Council and assists both the Council and its chair in performing their duties.

1.2 Jury Service in California

Jury service is the most direct participation the average citizen can have in the workings of government. Statewide, the courts summon an estimated 10 million residents to jury service each year, but fewer than 185,000 serve in jury trials that typically last just three days. Those who have served tend to view the experience favorably. Still, jury service is generally regarded as an inconvenience and compliance with juror summonses varies from court to court. In Los Angeles, for example, the court estimates that half of the 4 million people who are sent jury affidavits in recent years did not respond.

California's courts are committed to improving the experience of jurors and making jury service manageable and relevant for those who are called to serve.

1.3 One-Day/One-Trial

Over the last five several years, the California court system, the largest in the nation, has implemented several fundamental reforms, including statewide one-day/one-trial jury service. Legislation passed in 1999 required the state's 58 trial courts to implement the new system, which provides that prospective jurors may be summoned to the court only once over a 12-month period. If the prospective juror is not selected for a trial, he or she is released the same day and has satisfied his or her obligation for at least 12 months. If selected for a trial, the prospective juror serves for the duration of the trial and will not be asked to serve again for at least 12 months.

The one-day/one-trial system was implemented in most courts by January 2000, As of March 2002, with the implementation of one-day/one-trial in Los Angeles, the courts have achieved this statewide reform of the jury system (Alpine remains

exempt). Still, jury managers report that public awareness of this fundamental shift in jury service remains low.

A survey conducted in Fall 2000 confirmed that courts require larger juror pools as a result of the implementation of one-day or one-trial, and grant fewer hardship excuses. This has resulted in confusion among those traditionally granted exemptions or postponements. Most courts report that juror satisfaction has increased under the new system.

1.4 Improved Juror Summons

The AOC is developing a model juror summons form designed to improve juror compliance rates. Currently, the state's 58 Superior Court systems use several different forms of varying level of clarity and effectiveness. Most courts use voter registration and Department of Motor Vehicles records for their jury pools.

1.5 Other Juror Outreach Efforts

Many of the state's 58 Superior Courts include juror information on their Web sites and support various local juror education efforts. The California Courts Juror Information Web site at www.courtinfo.ca.gov/jury is one of the AOC's most significant contributions to juror education. More recently, companion materials produced for a juror orientation video reference the one-day/one-trial reform in its tagline: "Jury Service: It's Different. It's Better. It's the Law."

2.0 PURPOSE OF THIS RFP

The AOC seeks the services of a consultant with expertise in marketing communications and direct marketing to develop and implement a plan to increase compliance with juror summonses.

The audiences for this program are:

- 1) Prospective jurors, and especially those summoned to appear at the courthouse. The agency believes that the model summons represents a significant opportunity to increase public awareness of the one-day/one-trial jury system. This program seeks to test the effectiveness of the new summons in select counties.
- 2) Employers. While some employers compensate their employees for jury service, many do not. The one-day/one-trial system has made jury service more manageable for employers as well as jurors. This program seeks to raise the level of awareness of the new system among employers statewide, and to encourage them to compensate their employees for this valuable and mandatory civic duty.

3.0 SCOPE OF SERVICES

- 3.1. Services are expected to be performed by the consultant between June and December 2002 (program end date is flexible).
- 3.2. The consultant will be asked to:
 - 3.2.1 Advise the AOC on the best communications strategies and messages (including modifications of model summons) to achieve the goal of increased compliance with juror summonses.
 - 3.2.2 Develop the creative themes, methods, and materials required for the recommended campaign.
 - 3.2.3 In consultation and collaboration with the AOC, select pilot markets (counties) to test the new summons. Obtain benchmark measures on juror compliance.
 - 3.2.4 Produce marketing communications materials and/or place media required by the recommended campaign (inclusive of stated budget).
 - 3.2.5 In consultation and collaboration with the AOC and selected courts, conduct measurement and report on program results.
 - 3.2.6 Develop and implement a program to increase awareness of one-day/one-trial and the importance of jury service among California employers.

4.0 SPECIFICS OF A RESPONSIVE PROPOSAL

The following information shall be included in the proposal:

- 4.1 Name, address, telephone and fax numbers, and social security number or federal tax identification number.
- 4.2 Six copies of the proposal signed by an authorized representative of the company including name, title, address, and telephone number of one individual who is the responder's designated representative.
- 4.3 Resumes describing the background and experience of key staff, as well as each individual's ability and experience in conducting the proposed activities.
- 4.4 Describe key staff's knowledge of the requirements necessary to complete this project.
- 4.5 Names, addresses, and telephone numbers of a minimum of five (5) clients for whom the consultant has conducted similar services. The AOC may check references listed by the consultant.

- 4.6 Responsive proposals should provide straightforward, concise information that satisfies the requirements noted above. Expensive bindings, color displays, and the like are not necessary or desired. Emphasis should be placed on conformity to the state's instructions, requirements of this RFP, and completeness and clarity of content.
- 4.7 Overall plan with time estimates for completion of all work required.
- 4.8 Method to complete the Project:
 - 4.8.1 Proposed strategic approach to the challenge of increasing awareness of the one-day/one-trial jury system in order to increase compliance with juror summonses.
 - 4.8.2 Preliminary allocation of budget among anticipated communications tools and media.
 - 4.8.3 Proposed project and team organization, including indication of pro bono services available for this public interest project.

5.0 COST PROPOSAL

Submit a summary line item budget showing total cost of the services, including those provided pro bono for this project. Explain and justify all budget line items in a narrative entitled "Budget Justification."

The total cost for consultant services will not exceed \$270,000 inclusive of personnel, materials, computer support, travel, lodging, per diem, overhead rates, and advertising production and placement costs. The method of payment to the consultant will be by cost reimbursement.

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 will be retained for official files and becomes a public record.

Only written responses will be accepted. Responses should be sent by registered or certified mail or by hand delivery.

7.0 PROJECT MANAGEMENT

The Project Manager for this RFP process is:

James Carroll
Office of Communications
Administrative Office of the Courts
455 Golden Gate Avenue
San Francisco, CA 94102-3660
415-865-7451
415-865-4334
james.carroll@jud.ca.gov

8.0 EVALUATION OF PROPOSALS

Proposals will be evaluated by the AOC using the following criteria:

- a. Strategic approach and quality of work plan submitted
- b. Experience on similar assignments
- c. Credentials of staff to be assigned to the project
- d. Ability to meet timing requirements to complete the project
- e. Reasonableness of cost projections
- f. Willingness to contribute pro bono services toward meeting project goals.

9.0 ADDITIONAL REQUIREMENTS

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 the interview arrangements.

10.0 PROPOSED CONTRACT TERMS AND ADMINISTRATIVE RULES

Contracts with successful firms will be signed by the parties on a State of California Standard Agreement form and will include terms appropriate for this project. Generally, the terms of the contract will include, but are not 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 ADA requirements; and (9) minimum appropriate insurance requirements.

Name of Project

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Incorporated in this RFP, and attached as Attachment A, is a document entitled
“Administrative Rules Governing Requests for Proposals. Consultants shall follow these
rules in preparation of their proposals.

**JUDICIAL COUNCIL OF CALIFORNIA
ADMINISTRATIVE OFFICE OF THE COURTS**

ADMINISTRATIVE RULES GOVERNING REQUESTS FOR PROPOSALS

A. General

1. This solicitation document, the evaluation of proposals, and the award of any contract shall conform with current competitive bidding procedures as they relate to the procurement of goods and services. A vendor's proposal is an irrevocable offer for 30 days following the deadline for its submission.
2. A nondiscrimination clause will be included in any contract that ensues from this solicitation document.
3. In addition to explaining the State's requirements, the solicitation document includes instructions which prescribe the format and content of proposals.

B. Errors in the solicitation document

1. If a vendor submitting a proposal discovers any ambiguity, conflict, discrepancy, omission, or other error in this solicitation document, the vendor shall immediately provide the State with written notice of the problem and request that the solicitation document be clarified or modified. Without disclosing the source of the request, the State may modify the solicitation document prior to the date fixed for submission of proposals by issuing an addendum to all vendors to whom the solicitation document was sent.
2. If prior to the date fixed for submission of proposals a vendor submitting a proposal knows of or should have known of an error in the solicitation document but fails to notify the State of the error, the vendor shall bid at its own risk, and if the vendor is awarded the contract, it shall not be entitled to additional compensation or time by reason of the error or its later correction.

C. Questions regarding the solicitation document

1. If a vendor's question relates to a proprietary aspect of its proposal and the question would expose proprietary information if disclosed to competitors, the vendor may submit the question in writing, conspicuously marking it as "CONFIDENTIAL." With the question, the vendor must submit a statement explaining why the question is sensitive.

If the State concurs that the disclosure of the question or answer would expose proprietary information, the question will be answered, and both the question and answer will be kept in confidence. If the State does not concur regarding the proprietary nature of the question, the question will not be answered in this manner and the vendor will be notified.

2. If a vendor submitting a proposal believes that one or more of the solicitation document's requirements is onerous or unfair, or that it unnecessarily precludes less costly or alternative solutions, the vendor may submit a written request that the solicitation document be changed. The request must set forth the recommended change and vendor's reasons for proposing the change. Any such request must be submitted to **James Carroll** at the Administrative Office of the Courts by **5 p.m.** on **March 29, 2002.**

D. Addenda

1. The State may modify the solicitation document prior to the date fixed for submission of proposals by faxing an addendum to the vendors to whom the solicitation document was sent. If any vendor determines that an addendum unnecessarily restricts its ability to bid, it must notify **James Carroll** at the Administrative Office of the Courts no later than one day following the receipt of the addendum.

E. Withdrawal and resubmission/modification of proposals

1. A vendor may withdraw its proposal at any time prior to the deadline for submitting proposals by notifying the State in writing of its withdrawal. The notice must be signed by the vendor. The vendor may thereafter submit a new or modified proposal, provided that it is received at the Administrative Office of the Courts no later than **5 p.m. on April 15, 2002.** Modification offered in any other manner, oral or written, will not be considered. Proposals cannot be changed or withdrawn after **5 p.m. on April 15, 2002.**

F. Evaluation process

1. An evaluation team will review in detail all proposals that are received to determine the extent to which they comply with solicitation document requirements.
2. If a proposal fails to meet a material solicitation document requirement, the proposal may be rejected. A deviation is material to the extent that a response is not in substantial accord with solicitation document

requirements. Material deviations cannot be waived. Immaterial deviations may cause a bid to be rejected.

3. Proposals that contain false or misleading statements may be rejected if in the State's opinion the information was intended to mislead the state regarding a requirement of the solicitation document.
4. Cost sheets will be checked only if a proposal is determined to be otherwise qualified. All figures entered on the cost sheets must be clearly legible.
5. During the evaluation process, the State may require a vendor's representative to answer questions with regard to the vendor's proposal. Failure of a vendor to demonstrate that the claims made in its proposal are in fact true may be sufficient cause for deeming a proposal nonresponsive.

G. Rejection of bids

1. The State may reject any or all proposals and may or may not waive an immaterial deviation or defect in a bid. The State's waiver of an immaterial deviation or defect shall in no way modify the solicitation document or excuse a vendor from full compliance with solicitation document specifications. The AOC reserves the right to accept or reject any or all of the items in the proposal, to award the contract in whole or in part and/or negotiate any or all items with individual vendors if it is deemed in the AOC's best interest. Moreover, the AOC reserves the right to make no selection if proposals are deemed to be outside the fiscal constraint or against the best interest of the government.

H. Award of contract

1. Award of contract, if made, will be in accordance with the solicitation document to a responsible vendor submitting a proposal compliant with all the requirements of the solicitation document and any addenda thereto, except for such immaterial defects as may be waived by the State.
2. The State reserves the right to determine the suitability of proposals for contracts on the basis of a proposal's meeting administrative requirements, technical requirements, its assessment of the quality of service and performance of items proposed, and cost.

I. Decision

1. Questions regarding the State's award of any business on the basis of proposals submitted in response to this solicitation document, or on any

related matter, should be addressed to **James Carroll of the Administrative Office of the Courts.**

J. Execution of contracts

1. The State will make a reasonable effort to execute any contract based on this solicitation document within 30 days of selecting a proposal that best meets its requirements.
2. A vendor submitting a proposal must be prepared to use a standard state contract form rather than its own contract form.

K. Protest procedure

1. The Administrative Office of the Courts intends to be completely open and fair to all vendors in selecting the best possible system within budgetary and other constraints described in the solicitation document. In applying evaluation criteria and making the selection, members of the evaluation team will exercise their best judgment.
2. A vendor submitting a proposal may protest the award if it meets all the following conditions:
 - a. the vendor has submitted a proposal which it believes to be responsive to the solicitation document;
 - b. the vendor believes that its proposal meets the state's administrative requirements and technical requirements, proposes items of proven quality and performance, and offers a competitive cost to the State; and
 - c. the vendor believes that the State has incorrectly selected another vendor submitting a proposal for an award.
3. A vendor submitting a proposal who is qualified to protest should contact the Contract Officer at the Administrative Office of the Courts at the address given below or call him at 415-865-7989.

Stephen Saddler
Contracts Officer
Administrative Office of the Courts
455 Golden Gate Avenue
San Francisco, CA 94102-3660

4. If the Contract Officer is unable to resolve the protest to the vendor's satisfaction, the vendor should file a written protest within five working days of the contract award notification. The written protest must state the facts surrounding the issue and the reasons the vendor believes the award to be invalid. The protest must be sent by certified or registered mail or delivered personally to:

Grant Walker
Business Services Manager
Administrative Office of the Courts
455 Golden Gate Avenue
San Francisco, CA 94102-3660

A receipt should be requested for hand-delivered material.

L. News releases

1. News releases pertaining to the award of a contract may not be made without prior written approval of the Director of the Administrative Office of the Courts.

M. Disposition of materials

1. All materials submitted in response to this solicitation document will become the property of the State of California and will be returned only at the State's option and at the expense of the vendor submitting the proposal. One copy of a submitted proposal will be retained for official files and become a public record. However, any confidential material submitted by a vendor that was clearly marked as such will be returned upon request.

N. Payment

1. Payment terms will be specified in any agreement that may ensue as a result of this solicitation document.
2. **THE STATE DOES NOT MAKE ANY ADVANCE PAYMENT FOR SERVICES.** Payment is normally made based upon completion of tasks as provide in the agreement between the State and the selected vendor. The State may withhold ten percent of each invoice until receipt of the final product. The amount of the withhold may depend upon the length of the project and the payment schedule provide in the agreement between the State and the selected vendor.

