

RFP Title: *Trial Court Caseflow Management Consultant*
RFP Number: *BMS-2024-50-SB*

REQUEST FOR PROPOSALS

JUDICIAL COUNCIL OF CALIFORNIA

REGARDING: *Trial Court Caseflow Management
Consultant*

RFP NUMBER: *BMS-2024-50-SB*

PROPOSALS DUE:
April 23, 2025 NO LATER THAN *1:00 P.M.* PACIFIC TIME

1.0 BACKGROUND INFORMATION

- 1.1 The Judicial Council of California (Judicial Council), 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 functions prescribed by law.
- 1.2 The primary purpose of the Judicial Council's Research, Analytics and Data group is to provide data, research, and analytics to inform branch decision-making. As part of its effort to better understand trial court workload, the Judicial Branch is undertaking a study of caseflow management. In her 2024 State of Judiciary address, California Chief Justice Patricia Guerrero highlighted caseflow as one of her priority projects that would increase transparency, improve efficiencies, and increase productivity without sacrificing quality.

2.0 DESCRIPTION OF SERVICES AND DELIVERABLES

- 2.1 The Judicial Council seeks the services of a person or entity with expertise in trial court caseflow management consulting. The consultant will create a cost-effective and repeatable framework for trial courts to improve caseflow management in all casetypes (civil, criminal, family law, juvenile, mental health, probate), regardless of court analytic capacity, resource levels or previous experience on this topic.

The Judicial Council and consultant will work with a committee of state court leaders to establish a framework for evaluating and improving caseflow management. Committee discussion, interviews, site visits, and data analysis will be used to inform the process. Key workload indicators collected by the Judicial Council, such as time to disposition, will be used to measure progress. The study and resulting framework will help determine the relationship between time to disposition and workload indicators, such as average number of hearings per case or continuances, and the impact of court organizational strategies on caseflow management. The study will examine the issue from both the judicial officer and court executive (administrative) perspective.

The framework will be disseminated to all courts, and the Judicial Council will continue the training and implementation model created by the consultant. Regularly-scheduled meetings of court leaders, including judicial officers and court executive officers, will be used to discuss framework implementation, lessons learned, and to share successes.

- 2.2 The consultant is expected to have prior expertise in trial court caseflow management, trial court caseflow management consulting, and prior experience

providing consulting services to California trial courts. The consultant team should include consultants with prior trial court leadership and judicial experience (i.e. a former judge or judicial officers). The consultant should provide monthly progress reports to program staff. The consultant is expected to provide drafts of final work products at least six weeks in advance of deadlines for Judicial Council internal review purposes. The consultant can be located in states other than California but must be prepared to attend at least one in-person meeting or engagement in California.

- 2.3 Key project deliverables include: a framework that trial courts can use to implement caseflow management; an evaluation plan to determine whether the framework was successful at promulgating effective caseflow management principles in California and/or resulted in a change in caseflow management metrics; a final report summarizing project milestones and accomplishments; a training plan.

Deliverable	Estimated Due Date
Deliverable 1: Attend kickoff meeting. Consultant to make presentation on proposed approach.	June 30, 2025
Deliverable 2: Consultant to attend joint subcommittee meetings; consultant to complete data collection and conduct analysis	July 31, 2025
Deliverable 3: Consultant to conduct virtual interviews at a minimum of 8 study courts; Judicial Council to complete review of draft framework/tool	August 31, 2025
Deliverable 4: Completion of framework/tool and evaluation plan	October 31, 2025
Deliverable 5: Completion of final report and presentation	December 15, 2025

- 2.4 The project will commence upon execution of an agreement from this RFP and will end by December 31, 2025. The project timeline is as follows:

Timeframe	Activity
March-April 2025	Retain consultant through Judicial Council procurement process.
May 2025	Project commencement
May-June 2025	Kickoff meeting with court oversight committee; Initiate bi-weekly status meetings between applicant and consultant
June to September 2025	Meetings with oversight committee; interviews with key stakeholders at JCC and in courts.

August 2025	Project update at statewide court leaders' meeting
September to December 2025	Finalize research and deliverables (report, framework, self-assessment tool, training plan).
December 31, 2025	Project end date

2.5 The funding available for this project will not exceed **\$82,500.00**, which includes all expenses. The Judicial Council intends to award one (1) Agreement with a term of approximately **eight months** with an *estimated* starting date of **May 19, 2025, through December 31, 2025**.

3.0 TIMELINE FOR THIS RFP

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

EVENT	DATE
RFP issued	<i>April 3, 2025</i>
Deadline for written questions to solicitations@jud.ca.gov	<i>April 11, 2025 No Later than 1:00 pm (Pacific Time)</i>
Questions and answers posted (Estimate only) https://courts.ca.gov/policy-administration/bidders-solicitations	<i>April 16, 2025</i>
Latest date and time proposal may be submitted solicitations@jud.ca.gov	<i>April 23, 2025 No Later than 1:00pm (Pacific Time)</i>
Evaluation of proposals (<i>estimate only</i>)	<i>April 23 – 30, 2025</i>
Notice of Intent to Award (<i>estimate only</i>)	<i>May 1, 2025</i>
Negotiations and execution of contract (<i>estimate only</i>)	<i>May 8 – 16, 2025</i>
Contract start date (<i>estimate only</i>)	<i>May 19, 2025</i>
Contract end date (<i>estimate only</i>)	<i>December 31, 2025</i>

4.0 RFP ATTACHMENTS

ATTACHMENT	DESCRIPTION
Attachment 1: Administrative Rules Governing RFPs (Non-IT Services)	These rules govern this solicitation.
Attachment 2: Judicial Council Standard Terms and Conditions	<p>If selected, the entity submitting a proposal (the “Proposer”) must sign a Judicial Council of California Standard Agreement containing these terms and condition (the “Terms and Conditions”). If exceptions are identified or additional provisions proposed, the Proposer must also submit a redlined version of the Terms and Conditions that clearly identifies the benefit to the Judicial Branch from the proposed changes and provides a written explanation or rational for each proposed change.</p> <p>Notwithstanding any other provision in this RFP, the Council reserves the right at its discretion to negotiate any or all items with individual Proposers, including the right to propose or require additional terms and conditions for the agreement prior to agreement execution.</p>
Attachment 3: Proposer’s Acceptance of Terms and Conditions	<p>On this form, the Proposer must indicate acceptance of the Terms and Conditions or identify exceptions to the Terms and Conditions.</p> <p>Note: A material exception (addition, deletion, or other modification) to a Minimum Term will render a proposal non-responsive. The Judicial Council, in its sole discretion, will determine what constitutes a material exception</p>
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.
Payee Data Record Form (STD204) at: https://www.documents.dgs.ca.gov/dgs/fmc/pdf/std204.pdf	This form contains information the Judicial Council requires in order to process payments and must be submitted with the proposal.

<p>Payee Data Record Supplement (STD205) at: https://www.documents.dgs.ca.gov/dgs/fmc/pdf/std205.pdf</p>	<p>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.</p>
<p>Attachment 6: Bidder Declaration</p>	<p>The Proposal must complete this form only if the Proposer wishes to claim the DVBE incentive associated with this solicitation.</p>
<p>Attachment 7: DVBE Declaration</p>	<p>The Proposer must complete this form and submit it with their proposal only if Proposer wishes to qualify for the DVBE incentive.</p>
<p>Appendix A: Grant Application Program Narrative.</p>	<p>The Narrative provides more detail about the project, the funding source, and the deliverables requested. It should be used as reference when preparing the response.</p>

5.0 PAYMENT INFORMATION

5.1 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.

5.2 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.

5.2.1 No other expenses including travel expenses will be reimbursed by the Judicial Council.

5.2.2 The Judicial Council does not make any advance payment for services. The contractor shall invoice the Judicial Council of California only after the successful completion and acceptance of the services rendered.

5.2.3 Payment will be made after completion and acceptance of deliverables.

5.2.4 The Judicial Council standard business payment terms are net **sixty (60)** days after receipt of correct invoice.

5.3 The funding for this project **will not exceed \$82,500.00.**

Deliverable	Estimated Due Date	Maximum firm fixed amount
Deliverable 1: Attend kickoff meeting. Consultant to make presentation on proposed approach.	June 30, 2025	\$TBD
Deliverable 2: Consultant to attend joint subcommittee	July 31, 2025	\$TBD

meetings; consultant to complete data collection and conduct analysis		
Deliverable 3: Consultant to conduct virtual interviews at a minimum of eight study courts; Judicial Council to complete review of draft framework/tool	August 31, 2025	\$TBD
Deliverable 4: Satisfactory completion of framework/tool and evaluation plan	October 31, 2025	\$TBD
Deliverable 5: Satisfactory completion of final report and presentation	December 15, 2025	\$TBD
Total Firm Fixed Amount (Not to Exceed \$82,500):		\$TBD

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 proposal and the cost proposal.
- a. The Proposer must submit **an electronic copy** of the technical proposal. The proposal must be signed by an authorized representative of the Proposer. To fulfill this requirement, the proposer may include a signed cover letter for the Technical Proposal. The technical proposal must be submitted via email to Solicitations@jud.ca.gov and the attachment must be marked **“TECHNICAL PROPOSAL”**. The Proposer must indicate the RFP title and number in the subject line of the submission email and ensure that the RFP title and number are on the Proposal attachments.
 - b. The Proposer must submit **an electronic copy** of the Cost Proposal. The proposal must be signed by an authorized representative of the Proposer. To fulfill this requirement, the proposer may include a signed cover letter for the Cost Proposal. The Cost Proposal can be submitted in the same email as the Technical Proposal above via email sent to solicitations@jud.ca.gov, but should be a **separate attachment** marked **“COST PROPOSAL,”** from the technical

proposal. The Proposer must indicate the RFP title and number in the subject line of the submission email and ensure that the RFP title and number are on the Proposal attachments.

- 6.3 Submission acceptance will be based on the date and time the emails are received by the Judicial Council of California. Both the Technical and Cost Proposals must be received prior to the due date and time, or the proposal will not be accepted. Due to the potential for email transmission delays, which may cause late receipt and non-acceptance of proposals, **it is recommended that Proposers email their proposals well in advance of the due date and time.**
- 6.4 Late proposals will not be accepted. However, as necessary, the Judicial Council of California may request clarification from Proposers after the submission of proposals.
- 6.5 The Judicial Council of California 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 or contract and does not create any obligation to form a contract. The Judicial Council of California and/or the State of California shall not be responsible for the cost of preparing a 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. 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 a minimum of **three (3)** clients for whom the Proposer has conducted similar services. The Judicial Council may check references listed by the Proposer.

- e. Proposed method to complete the work.
 - i. A project proposal outlining key deliverables and timeframes proposed to achieve the project completion in the timeframe indicated.

- 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 implements all proposed changes, and (ii) a written explanation or rationale for each exception and/or proposed change.
 - iii. **Note: A material exception (addition, deletion, or other modification) to a Minimum Term will render a proposal non-responsive. The Judicial Council, in its sole discretion, will determine what constitutes a material exception.**

- 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. The Proposer **must** complete the **Payee Data Record form (STD204)** and submit the completed form with its proposal. Form and instructions are in fillable PDF format available in the following link:

<https://www.documents.dgs.ca.gov/dgs/fmc/pdf/std204.pdf>
 - iv. **Data Record Supplement STD 205 (if applicable)**. STD 205 is optional, and it is required only if the remittance address information is different than the mailing address on the STD 204 form. Form and instructions are in fillable PDF format available in the following link:

<https://www.documents.dgs.ca.gov/dgs/fmc/pdf/std205.pdf>
 - v. 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. **The**

Proposer must provide a copy of their Certificate of Status with the Secretary of State of 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. 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.

Note: Proposer may be required to register with the California Secretary of State if it meets the definition of transacting intrastate business or “doing Business” under the California Corporations Code. As there is no easy definition for what constitutes – even indirectly – “doing Business” in California, proposers with concerns regarding the Secretary of State registration requirements are encouraged to consult with their legal counsel.

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

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

- vi. Proposer **must** submit Copies of the Proposer’s (and any subcontractors’) current business licenses, professional certifications, or other credentials.
- vii. By submitting a proposal, the Proposer certifies that: (i) it is in compliance with economic sanctions imposed pursuant to applicable laws by the U.S. government in response to Russia’s actions in Ukraine, as well as any sanctions imposed under state law (collectively, “Economic Sanctions”); and (ii) it is not a target of Economic Sanctions. If the Council determines that Proposer is not in compliance with Economic Sanctions or is a target of Economic Sanctions, that shall be grounds of rejection of its proposal.

7.2 Cost Proposal.

The following information **must** be included in the cost proposal.

- i. Proposer **must** provide a detailed line-item budget with a firm fixed price for each deliverable described in Section 5.3 and the total costs for the entire project **shall not exceed \$82,500.00.**
- ii. Proposer **must** provide 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.

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, each 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 Judicial Council will post an intent to award notice at <https://courts.ca.gov/policy-administration/bidders-solicitations>.

CRITERION	MAXIMUM NUMBER OF POINTS
Quality of work plan submitted	20 points
Experience on similar assignments	22 points
Cost	30 points
Credentials of staff to be assigned to the project	10 points
Acceptance of the Terms and Conditions	5 points
Ability to meet timing requirements to complete the project	10 points
(“DVBE”) Incentive Disabled Veterans Business Enterprise incentive is available to qualified proposers. (Section 12).	3 points

10.0 INTERVIEWS

The Judicial Council 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 by phone or remote meeting tools. If there's a need to clarify any portion of the Proposer's proposal, the JCC will notify Proposer 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 Judicial Council's right to disclose information in the proposal, or (b) requiring the Judicial Council 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 11.0. **Proposers are accordingly cautioned not to include confidential, proprietary, or privileged information in proposals.**

12.0 DISABLED VETERAN BUSINESS ENTERPRISE INCENTIVE

Qualification for the DVBE incentive is not mandatory. Failure to qualify for the DVBE incentive will not render a proposal non-responsive.

Eligibility for and application of the DVBE incentive is governed by the Judicial Council's DVBE Rules and Procedures. Proposer will receive a DVBE incentive if, in the Judicial Council'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 9.0 above.

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").

If Proposer wishes to seek the DVBE incentive:

1. Proposer must complete and submit with its proposal the Bidder Declaration (**Attachment 6**). Proposer must submit with the Bidder Declaration all materials required in the Bidder Declaration.
2. 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.

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.

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 Judicial Council's Small Business Preference Procedures for the Procurement of Information Technology Goods and Services.

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 Judicial Council 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.

If using DVBE subcontractors, the Proposer must complete and return to the Judicial Council a copy of the post-contract certification form (<https://www.courts.ca.gov/documents/JBCM-Post-Contract-Certification-Form.docx>), promptly upon completion of the awarded contract, and by no later than the date of submission of Proposer's final invoice to the Judicial Council. If the Proposer fails to do so, the Judicial Council will withhold \$10,000 from the final payment, or withhold the full payment if it is less than \$10,000, until the Proposer submits a complete and accurate post-contract certification form.

When a Proposer fails to comply with the post-contract certification requirement in this section and a payment withhold is applied to a contract, the Judicial Council shall allow the Proposer to cure the deficiency after written notice. Notwithstanding the foregoing or any other law, if after at least 15 calendar days, but no more than 30 calendar days, from the date of the written notice the Proposer refuses to comply with the certification

requirements, the Judicial Council shall permanently deduct \$10,000 from the final payment, or the full payment if less than \$10,000.

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.

14.0 PROTESTS

Any protests will be handled in accordance with Chapter 7 of the Judicial Branch Contracting Manual (see <https://courts.ca.gov/system/files/file/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 of California to receive a solicitation specifications protest is the proposal due date. In order to be considered valid, all such protests must be submitted by email to: solicitations@jud.ca.gov and must indicate the Solicitation Number and Name of Your Firm in the subject line of your email.