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| RC2 |  | REQUEST FOR PROPOSALS  |
|  **Judicial Council of California** **Regarding:EVALUATION OF PILOT PROJECTS UNDER THE SARGENT SHRIVER CIVIL COUNSEL ACT****RFP NO.: CFCC-2017-10-ML****PROPOSALS DUE: NOVEMBER 2, 2017** **no later than 3:00 PM (PT)****\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** |

1. **PURPOSE OF THE REQUEST FOR PROPOSALS (“RFP”)**

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 other functions prescribed by law.

1.2 The Center for Families, Children & the Courts (“CFCC”), housed in the Judicial Council’s Judicial and Court Operations Services Division, is dedicated to improving the quality of justice and services to meet the diverse needs of children, youth, and self-represented litigants.

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

1.3 This Request For Proposals (“RFP”) is the means for prospective service providers to submit their qualifications and request selection as a selected service provider for the Work of this RFP, as defined in *Attachment 2, Appendix A, Services*. The services sought are those of a person or entity with expertise in social science, civil justice research and/or public entity research with 5-10 years of professional experience in program evaluation. A prospective service provider should be familiar with California trial courts, particularly in the areas of housing, child custody, and probate and should have experience in gathering and synthesizing information from multiple datasets. Prior consultants are eligible to respond to the RFP. The selected service providers (person or entity) will provide the Judicial Council with the Deliverables set forth in *3.0 Description of the Services.*

1.4 It is the intention of the Judicial Council to award contracts to selected service providers to assist with the design and implementation of the study. The Work of Phase I is estimated to begin December 1, 2017 and conclude November 31, 2018 (“Initial Term”). The compensation for the Initial Term shall range from $180,000 to $250,000. The Judicial Council, at its sole discretion, may exercise two additional Terms of twelve (12) months each.

1. **BACKGROUND INFORMATION**

2.1 The Sargent Shriver Evaluation Project. AB 590 (Feuer) establishes a pilot project to be administered by the Judicial Council for the appointment of legal representation for unrepresented low-income parties in civil matters involving critical issues, such as domestic violence, child custody, housing and elder abuse so that judicial decisions are made on the basis of the necessary information and the parties have an adequate understanding of the orders to which they are subject. Expanding representation will not only improve access to the courts and the quality of justice obtained by these individuals, but will allow court calendars that currently include many unrepresented litigants to be handled more effectively and efficiently. The legislation is located at: <http://www.leginfo.ca.gov/pub/09-10/bill/asm/ab_0551-0600/ab_590_bill_20091011_chaptered.pdf>.

2.2 There are eight (8) pilot projects which began operation in early 2012. They are located in the following counties: Los Angeles, San Diego, Santa Barbara, Kern, San Francisco and Yolo. Each of those projects are continuing and one new project in Fresno is being added.

Five of the currently funded pilot projects provide representation in housing matters; three programs focus on family cases with a disputed child custody matter; and one provides services in guardianship and conservatorship proceedings. The new Fresno project will provide representation in housing. All projects involve legal service providers providing representation and other assistance to low income Californians who are facing a represented party. In all pilot projects, the legal service providers partner with their local Superior Court. The courts provide additional services such as early settlement calendars, specialty housing staff and self-help assistance.

2.3 AB 590 requires the Judicial Council to conduct an evaluation to demonstrate the effectiveness and continued need for the pilot programs. The legislation also required the Judicial Council to report its findings and recommendations to the Governor and the Legislature. The report to the Legislature and earlier project evaluation reports can be found here <http://www.courts.ca.gov/documents/lr-SargentShriverCivilCounselAct.pdf> (January 29, 2016) and here <http://www.courts.ca.gov/documents/lr-2017-JC-Shriver-civil-right-to-counsel.pdf> (August 4, 2017).

2.4 Prior multi-year project research and evaluation activities involved several components, including a process evaluation, comparative studies, and a cost-benefit analysis. It is anticipated that the current evaluation will employ similar components and methodologies and will build on prior evaluation findings and identified areas of future research. The evaluation plan should be flexible to allow for the identification and evaluation of additional goals as the project progresses. Work from by the prior consultants was not evaluated by the Judicial Council.

* 1. Website. Additional information about the documents pertaining to this solicitation, including electronic copies of the solicitation documents, can be found on the California Courts’ Website, at [www.courts.ca.gov/rfps.htm](http://www.courts.ca.gov/rfps.htm).
1. Current Evaluation

3.1 The Shriver evaluation report(s) shall address the following research questions/domains:

* **Client information, case information and outcomes**: Who are the clients being served? What services are being provided by the pilot programs? What are the characteristics of the cases? What are the case outcomes?
* **Identifying the right services**: The pilot programs offer a variety of services to litigants, including those offered by the courts and mediation providers. What strategies have been effective in matching litigants with the most appropriate service (e.g., impact of limited scope, full representation, triage, etc.)? What strategies have been effective in matching litigants with the “lowest cost” services that also best meets the needs of the litigants?
* **Improving litigant education and access to services:** Why are many eligible litigants not accessing Shriver program services? Who is not accessing services? Can education and outreach efforts be improved in order to better reach them?
* **Project impacts**: How did services benefit litigants? What are the unmet needs for the clients? For the current evaluation, the hope is to determine how much additional need remains in the community for this type of services. The evaluation should address how many low-income tenants in a community are not being served by a Shriver project and to obtain information regarding why those service gaps continue to exist.

**Community impacts**: Can community factors be identified that impact litigant outcomes and/or that are impacted by litigant outcomes? What costs and savings are associated? Examples of community factors that may impact litigant outcomes:

* Collaboration with community partners/support agencies, availability of and connection with support services (e.g., housing support services, mental health assistance, and other resources that might address underlying issues for litigants)
* Local housing laws (e.g., rent stabilization laws)
* Rental vacancy rates in the area
* Availability of transportation to access services/Geographical barriers
* Resources available to Child Protective Services and their policies regarding investigation of cases that may impact child custody and guardianship actions
* Other legal services available in the community

Examples of factors that may be impacted by litigant outcomes:

* Reduction of costs for other agencies providing assistance to clients or those that might need to provide assistance in the future
* Prevention of homelessness and other outcomes that are associated with homelessness reduction
* Impact on systems designed to assist children and dependent adults as a result of services provided to relative caregivers who are either custodial parents or guardians
* **Profile of a successful program**: What factors combine to offer the best opportunity for cost savings while achieving positive outcomes? What are the pilot program services, case characteristics, and community resources/support or other factors? (include questions about impact of settlement conferences and other project innovations)
* **Unmet legal needs**: What are the continuing unmet legal needs in the community?
* **Vulnerable populations**: What additional challenges exist for litigants with disabilities? What challenges exist for litigants who have language, cultural, or immigration barriers? What additional needs/costs are associated with these populations and have pilot programs identified strategies for improving outcomes for these populations? What is the impact on families and children?
* **Costs of negative outcomes**: What are the costs to litigants, courts, other public agencies, and communities associated with negative or less favorable monetary, financial, and legal outcomes?
* **Savings with positive outcomes**: What are the savings to litigants, courts, other public agencies, and communities associated with positive or more favorable monetary, financial, and legal outcomes?
* **Evaluation of the triage process**: Who benefits most from each level of service? What components are necessary for a comprehensive continuum of service? What range of services are provided on the continuum? Are there gaps/areas of unmet need in the continuum? Is there sufficient coordination between all stakeholders in the process? Do outcomes differ across litigants who receive different levels of service (e.g., full representation vs. unbundled services)? In what ways do they differ?

3.2 Data sources available to the evaluator include the following:

3.2.1 Five year de-identified client database including demographic and outcome data

3.2.2 De-identified follow up client interview database

3.2.3 Court case file review database

* + 1. Quarterly narrative reports submitted by programs and courts

3.2.5 Court case management summary statistics

3.3 **Process Evaluation/Program Implementation:** This part of the evaluation will involve the collection of demographic and service data. It may also involve gathering summary data from court case management systems. The contractor will oversee the Administrative Data collection implemented during prior evaluation activities. Pilot program sites enter or import de-identified client data directly into the Administrative Data using an online survey tool. A new pilot site will be added, and additional information may be sought from court partners in this evaluation, so the Administrative Data collection component will involve bringing new sites onto the system, which involves setting up accounts, providing training, and ongoing technical assistance. The contractor provides support to the program sites, manages data quality assurance, and submits quarterly extract files to the Judicial Council. The contractor will be expected to visit each of the sites during the first year of the contract to document program structure and court innovations.

3.3.1 Evaluation of the triage process: the prior evaluation recommended further study regarding the best procedures for ensuring effective and efficient triage methods. The goal of effective triage is to refer court customers to the level of service most appropriate for them. Some individuals and some legal issues can be handled effectively with a certain level of self-help assistance, while others require representation by an attorney, either through limited-scope legal assistance or through full representation. Further study is needed to clarify the best procedures for ensuring effective and efficient triage methods involving all key stakeholders. The contractor will propose an evaluation plan that allows for the assessment of this process and the components involved.

3.3.2 Other potential subjects for pilot projects: Research should be conducted concerning other litigation types that often involve uneven representation and that might benefit from a pilot project to evaluate the role of civil legal assistance.

 ***3.4 This Section has been intentionally omitted.***

3.5 **Comparative Studies:** The contractor will build on prior comparative studies conducted through earlier evaluation activities, refine study designs, and design new evaluations for sites that have not previously participated. It is anticipated that field work will be a large component of the current evaluation. The contractor will be responsible for taking the lead in organizing and conducting field work including activities such as courtroom observation, litigant interviews, and case files reviews. The Judicial Council expects that there will be at least one site visit to each project during the first year of the contract. The Judicial Council will conduct the legal case file review under the research direction of the consultant. The contractor will be responsible for oversight of the evaluation methodology, developing a sampling strategy, developing the data collection tool in collaboration with Judicial Council legal professionals, entering data if not collecting electronically, and analyzing the data.

3.5.1 A mixed-methods study design will be used for evaluation of the pilot projects. Single group design and naturalistic design have been used in several sites in prior evaluation activities. Random assignment study designs will be conducted for some pilot projects. The study design should include both quantitative and qualitative data collection methodologies.

3.5.2Other activities include follow up client interviews, stakeholder interviews and court file reviews (collaborating with Judicial Council staff in instrument development and file review, identifying cases to be reviewed, development of database for case file review data, data coding/entry/analysis).

3.5.3 Research is recommended concerning why some people access services and others do not, despite significant levels of outreach. The contractor will be responsible for a study design that identifies appropriate comparison groups (e.g., interviewing unrepresented litigants in court appearing in the same case type, courtroom observations, interviewing people at shelters or other outside agencies, etc.), a plan to access the comparison group, and the field work involved with interviewing participants.

3.6 **Project Impact Evaluation**:

3.6.1 The contractor will develop a plan for follow-up phone interviews with clients in order to determine longer-term program impacts. Prior evaluation efforts experienced some challenges with litigant follow-up. A goal of the current project is to improve follow-up contact and response rates in order to allow for better triangulation across sources particularly from litigants regarding program impacts.

3.6.2 The evaluation will also include a plan for reviewing the impact of Shriver pilot project court innovations identified in the report to the Legislature. These innovations include the use of mandatory settlement conferences to determine best practices in achieving solutions that address the needs of both parties, technological solutions such as e-filing that were implemented by some courts to determine if there are cost-savings to the legal services program and court when documents are e-filed, and the impact of expanded self-help center services.

3.7 **Cost-Benefit Analysis**: The contractor will build on prior cost-benefit analyses conducted through earlier evaluation activities, refine study designs, and design new evaluations. Further study is needed regarding the relative costs of different levels of legal assistance, keeping in mind the varying complexity of cases, delivery mechanisms, and geographic location.  Questions of interest include measurement of:

3.7.1 Improved court effectiveness and efficiency. For example, shorter hearings, fewer improper defaults, fewer incorrect pleadings, fewer continuances, greater likelihood of settlement, and preserved judicial neutrality.

3.7.2 Improved outcomes for litigants that result in reduced need and lower costs for other state and local services.

3.7.3 Identification of strategies to provide the appropriate services at the lowest cost. What approaches have been the most effective in identifying the right services for litigants?

3.7.4 Impact of program innovations on cost-benefits (settlement conferences, tech solutions). What is the impact of effective triage processes on cost-savings for the courts?

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**3.8 DESCRIPTION OF SERVICES FOR THE INITIAL TERM**

Deliverables 1-9are in tangible form and submitted to the Judicial Council Project Manager.

| **No.** | **Deliverable Description for the Initial Term** |
| --- | --- |
| 1. | Submit a Research Plan that outlines:* Analysis design that uses existing data sources where possible and proposes additional data collection to meet the study objectives.
* Identification of short focused reports that can be prepared regarding results of the research.
* Project timeline
 |
| 2. | Support existing pilot sites and any new sites by providing technical assistance with Administrative database and conducting trainings.  |
| 3. | Meet with Pilot Programs, Project Manager, Sargent Shriver Civil Counsel Implementation Committee and Shriver Evaluation Committee to discuss Research Plan, submit revised plan based upon feedback for approval by Project Manager. |
| 4. | Submit a data collection protocol report that outlines:* Analysis of existing data sources and identification of gaps where data collection will be needed. Examples of additional data collection may include use of outside data sources, additional Administrative Data, courtroom observation, client interviews, additional stakeholder interviews, etc.
* Plan to address gaps/future research recommendations identified in prior project phase
* Sources of data and methodology for data collection. The protocol should include a plan for conducting field work.
* Methods for data transfers. Include proposed methods for assuring data quality and maintaining data confidentiality.
* Training on protocol for Pilot Programs.
 |
| 5. | * Submit quarterly extract of de-identified Administrative Data. Include a brief report on cases entered/edited during the report period and data quality assurance checks and results. Review data with Judicial Council Project Manager and sites.

 * Submit quarterly extract of data including qualitative data from interviews, case file review and other data collections as set out in approved Research Plan.
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| 6. | Submit preliminary data analysis reports based on research plan. The reports shall present findings and describe methods and statistical tests used to analyze data. |
| 7. | Meet with Pilot Programs, Project Manager and Shriver Evaluation Committee to review preliminary data analysis reports.  |
| 8. | Submit revised reports based upon feedback regarding original draft of data analysis reports and any additional data. |
| 9. | Provide quarterly reports on the evaluation to the Judicial Council Project manager.  |

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**4.0 DESCRIPTION OF SERVICES FOR THE FIRST OPTION TERM**

Deliverables 10-19 are in tangible form and submitted to the Judicial Council Project Manager.

| **No.** | **Deliverable Description for the First Option Term** |
| --- | --- |
| 10. | Attend meetings of the Shriver Pilot Programs as well as the Shriver Evaluation Advisory Board and Shriver Implementation Committee to review reports prepared in first option period, answer questions, and obtain feedback on progress to date on evaluation and future plans.  |
| 11.  | Submit a Research Plan that addresses research questions identified by the stakeholders as identified in Deliverable 10. Develop timeline for completion and dissemination of results.  |
| 12.  | Obtain feedback from stakeholders identified in Deliverable 10 on Research Plan and revise plan. Revise plan based on feedback for approval by Project Manager. |
| 13. | Submit a data collection protocol report for revised research plan that outlines:* Sources of data and methodology for data collection.
* Methods for data transfers. Include proposed methods for assuring data quality and maintaining data confidentiality.
* Training on protocol for Pilot Programs.
 |
| 14. | Submit quarterly extract of data as set out in approved Research Plan including any qualitative data from interviews, literature reviews, case file review and other data collections. |
| 15. | Submit preliminary data analysis reports based on research plan. The reports shall present findings and describe methods and statistical tests used to analyze data. |
| 16. | Meet with Pilot Programs, Project Manager and Shriver Evaluation Committee to review Draft Report.  |
| 17. | Submit revised reports based upon feedback regarding original draft of data analysis reports and any additional data. |
| 18. | Provide quarterly reports on the evaluation to the Judicial Council Project manager. |
| 19. | Attend meetings of the Shriver Evaluation Advisory Board and Shriver Implementation Committee, providing a status update and information on findings.  |

1. **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 | October 5, 2017 |
| Latest date and time for Questions to solicitations@jud.ca.gov  | October 13, 2017 no later than 3:00 PM (PT) |
| Questions and answers posted *(estimate only)* | October 18, 2017 |
| Latest date and time proposal may be submitted  | November 2, 2017 no later than 3:00 PM (PT) |
| Evaluation of proposals. This period includes interviews. *(estimate only)*  | November 3, 2017 through November 9, 2017 |
| Notice of Intent to Award *(estimate only)* | November 10, 2017 |
| Negotiations and execution of contract *(estimate only)* | November 11-30, 2017 |
| Contract start date *(estimate only)* | December 1, 2017 |
| Contract end date *(estimate only)* | November 31, 2018 |

**6.0 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.NOTE: The provisions marked with an (\*) within the Terms and Conditions are minimum contract terms and conditions (“Minimum Terms”). |
| 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: The provisions marked with an (\*) are minimum contract terms and conditions (“Minimum Terms”). On this form, the Proposer must indicate acceptance of Terms and Conditions or identify exceptions to the Terms and Conditions.NOTE: A material exception to a Minimum Term renders 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 5: Darfur Contracting Act Certification Form | 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: Unruh and FEHA Certification | The Proposer must complete the Unruh Civil Rights Act and California Fair Employment and Housing Act Certification. |
| Attachment 8:DVBE Declaration  | Complete this form only if the Proposer wishes to claim the DVBE inventive associated with this solicitation. |
| Attachment 9:Bidders Declaration  | Complete this form only if the Proposer wishes to claim the DVBE incentive associated with this solicitation. |
| Attachments 3-9 must be signed by an authorized representative of the Proposer. |

**7.0 PAYMENT INFORMATION**

7.1 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.

* 1. The total cost for the Work of this RFP shall contain the following categories: position/classification titles funded, salary rates or ranges, percentage of time devoted to work, fringe benefits, operating expenses, travel expenses, overhead or indirect costs and other costs. Deliverables are specified in Section 3.8 and 4.0 of this RFP.

**8.0 PROPOSAL CONTENTS**

 The following information must be included in the Proposal. A Proposal lacking any of the following information may be deemed non-responsive.

8.1 **Technical Proposal**. The Technical Proposal must be double-spaced, using a standard 12-point font with at least 1-inch margins, and must not exceed 25 pages. The 25 page limit does not include the required attachments.

* + 1. Describe the management structure and **s**taffing for the project. 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.
		2. Proposed methods to complete the work. Include proposed methods for all Deliverables in *Section 3.8 and 4.0 of the RFP*, including the following:
			1. Describe proposed data elements, data sources, and data collection strategies.
			2. Describe procedures for data analysis and proposed statistical analyses to address each of the research questions listed in Section 2.5 of this RFP**.**
			3. Describe all databases to be developed and discuss potential problems. Include proposed methods for assuring data quality and maintaining confidentiality.
			4. List major milestones and activities for each Deliverables 1-9 and create a timeline for completing individual tasks required for each Deliverable.
		3. Provide the information requested for a minimum of three (3) clients for whom the Proposer has conducted similar services. Please provide the following contact information for each client: contact name, firm, address, phone and email address. A brief description of the project would be helpful. International clients will be accepted as references. The Judicial Council may check references listed by Proposer.
		4. Proposer’s name, address, telephone and fax numbers, and federal tax identification number. NOTE: If the Proposer is a sole proprietor using her or his social security number, the social security number will be required before finalizing a contract.
		5. Name, title, address, telephone number, and email address of the individual who will act as Proposer’s designated representative for purposes of this RFP.
		6. Description of Proposer’s competencies relevant to the project, familiarity with evaluation topic, and experience on similar assignments.

8.1.7 Acceptance of the Terms and Conditions

8.1.7.1 Proposer must complete and submit with proposal *Attachment 3, Proposer’s Acceptance of Terms and Conditions.* Proposer must complete by either indicating acceptance of the Terms and Conditions or clearly identify exceptions to the Terms and Conditions. An “exception” includes any addition, deletion, qualification, limitation or other change.

8.1.7.2 If *exceptions identified*, the Proposer must also submit a redlined version of the Terms and Conditions that clearly tracks proposed changes, and a written explanation or rationale for each exception and/or proposed change.

* + 1. Certifications, Attachments, and other requirements.
			1. Proposer must complete and submit with proposal *Attachment 4, General Certifications Form* to certify that no interest exists that would constitute a conflict of interest under California Public Contract Code §§10365.5, 10410 or 10411; Government Code §§1090 et seq. or 87100 et seq.; or rule 10.103 or rule 10.104 of the California Rules of Court, which restricts employees and former employees from contracting with judicial branch entities.
			2. Proposer must complete and submit with proposal *Attachment 5, Darfur Contracting Act Certification Form* to certify that Proposer is not a “scrutinized” company as defined in Public Contract Code §10476.
			3. Proposer must complete and submit with proposal *Attachment 6,* *Payee Data Record Form* or provide a copy of a form previously submitted to the Judicial Council.
			4. Proposer must complete and submit with proposal *Attachment 7, Unruh and FEHA Certification Form*.
			5. (Conditional) A signed *Attachment 8, DVBE Declaration* if proposer seeks the Disabled Veteran Business Enterprise preference.
			6. (Conditional) A signed *Attachment 9, Proposer Declaration* if proposer seeks the Disabled Veteran Business Enterprise preference*.*
			7. 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, provide 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.

8.1.8.5 Proof of financial solvency or stability (e.g., balance sheets and income statements).

* 1. **Cost Proposal**. The following information must be included in the Cost Proposal.

8.2.1 A detailed line item budget for Compensation for Contract Work showing the fully loaded price per Deliverable and the total amount for all Deliverables as set forth in Section 3.8 and 4.0 of this RFP*.* This budget will identify the Key Personnel, titles, hourly rates and number of hours. Cost is determined by multiplying hourly rate by the number of hours.

* + 1. The firm fixed prices include all costs, benefits, expenses, fees, overhead, and profits payable to the Contractor for services rendered to the Judicial Council.

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.

**9.0 SUBMISSIONS OF PROPOSALS**

9.1 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, requirements, clarity and completeness of content.

9.2 The Proposer must submit its proposal in two parts, the Technical Proposal and the Cost Proposal.

9.2.1 The Proposer will submit **one (1) original and three (3) copies** each of the Technical and Cost Proposals. The originals of each Proposal must be signed by an authorized representative of the Proposer. Both Technical and Cost Proposals shall be in one (1) sealed envelope. The RFP title and number shall be written on the outside envelope.

9.2.2 In addition to the Technical Proposal and Cost Proposal, submit one (1) original and one (1) copy of the original signed documents for the following:

* Attachment 2 – Judicial Council Standard Terms and Conditions (submit if there are exceptions/modifications as indicated on Attachment 3)
* Attachment 3 – Proposer’s Acceptance of Terms and Conditions
* Attachment 4 – General Certifications Form
* Attachment 5 – Darfur Contracting Act Certification Form
* Attachment 6 – Payee Data Record Form
* Attachment 7 – Unruh and FEHA Certification

9.2.3 The Proposer must submit a complete electronic version of each proposal on CD-ROM. **The files contained on the CD-ROM should be in editable/unprotected Word or Excel formats as well as PDF**.

9.2.4 Only hard copy Proposals will be accepted. Proposals may not be submitted by facsimile or email. Proposals must be sent by registered or certified mail, courier service (e.g. FedEx), or delivered by hand to the address provided below.

* 1. Proposals must be delivered by the date and time listed on the coversheet of this RFP to:

**Judicial Council of California**

**Attn: Lenore Fraga-Roberts - Bid Desk**

**RFP# CFCC-2017-10-ML**

**455 Golden Gate Avenue, 6th Floor**

**San Francisco, CA 94102-3688**

* 1. Late proposals will not be accepted.

9.5 Only written proposals will be accepted. Proposals must be sent by registered or certified mail, courier service (e.g. FedEx), or delivered by hand. Proposals may not be transmitted by fax or email.

**10.0 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 ninety (90) period, the Judicial Council reserves the right to negotiate extensions to this period.

**11.0 EVALUATION OF PROPOSALS**

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

11.2 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.

| **CRITERIA** | **maximum points** |
| --- | --- |
| Quality of work plan submitted: Soundness of methodology and analytic and technical approach. Feasibility of proposed project and awareness of challenges. Adequacy of the plan to manage the project, including how various tasks are subdivided. | 20 |
| Experience on similar assignments: Demonstrated ability of proposed organization and staff to manage the project. Previous experiences of proposed staff. Credentials of staff to be assigned to the project: Qualifications and experience of proposed staff. | 25 |
| Cost: Cost-effective and complete proposed budget and budget justification. Please include a narrative budget as part of the cost proposal. | 30 |
| Acceptance of the Terms and Conditions. | 12 |
| Ability to meet timing requirements to complete the project. | 10 |
| (“DVBE”) Incentive Disabled Veterans Business Enterprise incentive is available to qualified proposers. | 3 |

11.3 If a proposer is selected for award of this RFP, the Judicial Council will post an Intent to Award notice on the Courts’ Website.

**12.0 INTERVIEWS**

The Judicial Council may conduct interviews with Proposers with higher initial scores to clarify aspects set forth in their proposals and to evaluate the performance of the control system software to assist in finalizing the ranking of top-ranked proposals. The Judicial Council will not reimburse Proposers for any costs incurred in traveling to or from the interview location. The Judicial Council will notify eligible Proposers regarding interview arrangements.

**13.0 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 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 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,” 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. Proposers are accordingly cautioned not to include confidential, proprietary, or privileged information in proposals.

**14.0 DISABLED VETERAN BUSINESS ENTERPRISE PARTICIPATION GOALS**

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

14.2 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 11 above.

14.3 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”).

14.4 If Proposer wishes to seek the DVBE incentive:

Proposer must submit with its proposal a DVBE Declaration (Attachment 8) 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.

14.5 Proposer must complete and submit with its proposal the Bidder Declaration (Attachment 9). Proposer must submit with the Bidder Declaration all materials required in the Bidder Declaration.

14.6 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.

14.7 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.

14.8 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.

**FRAUDULENT MISREPREPRETATION 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.**

**15.0 PROTESTs**

Any protests will be handled in accordance with Chapter 7 of the Judicial Branch Contract Manual (see [*www.courts.ca.gov/documents/jbcl-manual.pdf*](http://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 should be sent to:

 Judicial Council of California

 Attn: Protest Hearing Officer

 RFP# CJS-2017-10-ML

 Branch Accounting and Procurement | Administrative Division

 455 Golden Gate Avenue, 6th Floor

 San Francisco, CA 94102-3688

***END OF RFP***