

REQUEST FOR PROPOSALS

JUDICIAL COUNCIL OF CALIFORNIA

REGARDING:

*Attorney Contract Writers for Judicial Publications in
Probate Law. RFP #CJER-2015-03-LV*

PROPOSALS DUE:

Monday April 27, 2015 NO LATER THAN 2:00 P.M. PACIFIC TIME

1.0 BACKGROUND INFORMATION

- 1.1 The Center for Judiciary Education and Research (CJER), which is the education office for the Judicial Council of California, produces several educational publications for the California Judiciary in many areas of the law, including criminal, family, civil, juvenile, and probate law. The three probate publications CJER maintains are out of date and there no longer exists any in-house expertise in this area. CJER is therefore actively engaging outside authors with expertise in this area to revise and update its three probate publications. Each publication is between 100 and 150 pages in length.

2.0 DESCRIPTION OF SERVICES AND DELIVERABLES

- 2.1 The Center for Judiciary Education and Research (CJER), which develops and delivers education and training to California Judges and judicial branch employees, seeks the services of an author with expertise in California probate law and conservatorships, as well as expertise in writing for legal journals and other legal professional publications. The person must be California licensed attorney with experience conducting legal research for the purposes of reviewing, writing, revising, and updating legal publications for use by California Judges. The publications to be revised are:
- Benchguide 300 – Conservatorship: Appointment and Powers of Conservator (2010)
 - Benchguide 301 – Conservatorship Proceedings (2010)
 - Benchguide 302 – Probate Administration (2010)
- 2.2 These three publications provide an overview of the law and court procedures in the area of probate and conservatorships, including but not limited to the appointment and powers of a conservator, conservatorship proceedings, and probate administration.
- 2.3 For each of the three publications, the author will be required to:
- a. review the entire publication in order to become familiar with its content, coverage, and organization;
 - b. conduct a subsequent history/update for each legal citation (case-law, statute, rule of court) to determine the citation's legal currency;
 - c. make any necessary revisions to the citations and associated narrative;
 - d. research the law to determine if new sections ought to be added and/or existing sections need to be reorganized;
 - e. draft any new sections or rearrange existing sections as appropriate;
 - f. submit these revisions to CJER staff for review and feedback;

The following links are for Benchguide reference information:

<http://www2.courtinfo.ca.gov/protem/pubs/bg300.pdf>

<http://www2.courtinfo.ca.gov/protem/pubs/bg301.pdf>

<http://www2.courtinfo.ca.gov/protem/pubs/bg302.pdf>

2.4 CJER staff will then forward these revisions to a panel of judicial experts for input and comments. CJER staff will then forward all comments and revisions to the author for incorporation into the revised publications. The author will also work closely with the CJER editor and other CJER legal staff to ensure that the revisions comply with the structure and format of CJER judicial publications. Each publication revision will entail multiple submissions to CJER legal staff who will review and comment on the manuscript and return the manuscript to the author for corrections and changes. A final version will then be submitted to CJER for acceptance, along with a completed invoice pertaining to the number of hours worked on the specific publication.

The author will work off-site at whatever location is most convenient. However, the author will have access to CJER resources as appropriate and as needed in order to accomplish the work.

It is anticipated that this work will commence prior to June 30, 2015 and be fulfilled no later than December 15, 2015. A more detailed work schedule will be developed once the author has been engaged, to account for other commitments, and the like. But broadly, based upon the extent of the revisions necessary for these three publications, it is expected that each publication will take approximately two months to completely revise.

3.0 TIMELINE FOR THIS RFP

The Judicial Council of California (“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 7, 2015</i>
Deadline for questions	<i>April 15, 2015</i>
Questions and answers posted (<i>estimate only</i>)	<i>April 21, 2015</i>
Latest date and time proposal may be submitted	<i>April 27, 2015 2:00 PM Pacific Time</i>
Anticipated interview dates (<i>estimate only</i>)	<i>May 4, 2015 through May 6, 2015</i>
Evaluation of proposals (<i>estimate only</i>)	<i>May 13, 2015</i>

EVENT	DATE
Notice of Intent to Award (<i>estimate only</i>)	<i>May 20, 2015</i>
Negotiations and execution of contract (<i>estimate only</i>)	<i>May 27, 2015</i>
Contract start date (<i>estimate only</i>)	<i>June 15, 2015</i>
Contract end date (<i>estimate only</i>)	<i>December 15, 2015</i>

4.0 RFP ATTACHMENTS

The following attachments are included as part of this RFP:

ATTACHMENT	DESCRIPTION
Attachment 1: Administrative Rules Governing RFPs (Non-IT Services)	These rules govern this solicitation.
Attachment 2: Judicial Council Standard Terms and Conditions	If selected, the person(s) or entity submitting a proposal (the “Proposer”) must sign a Judicial Council Standard Form agreement containing these terms and conditions (the “Terms and Conditions”).
Attachment 3: Proposer’s Acceptance of Terms and Conditions	On this form, the Proposer must indicate acceptance of the Terms and Conditions or identify exceptions to the Terms and Conditions.
Attachment 4: General Certifications Form	The Proposer must complete the General Certifications Form and submit the completed form with its proposal.
Attachment 5: Darfur Contracting Act Certification	The Proposer must complete the Darfur Contracting Act Certification and submit the completed certification with its proposal.
Attachment 6: Payee Data Record Form	This form contains information the Judicial Council requires in order to process payments and must be submitted with the proposal.

5.0 PAYMENT INFORMATION

The proposed contract to be awarded from this RFP will be at a not-to-exceed total of \$15,000.00 for the revision of three probate publications, which includes all expenses. All work delivered under a contract awarded under this RFP will commence on or prior to June 30, 2015 and will be completed by December 15, 2015.

Each revised publication is a deliverable. The contractor will be reimbursed at the proposed rate not to exceed \$50.00/hr, also not to exceed \$5,000.00 for each deliverable. Payments will be made to the author upon the submission, review, and acceptance of each deliverable by CJER staff of each separate publication revision accompanied by an invoice showing the number of hours expended on the revision of the publication.

6.0 SUBMISSIONS OF PROPOSALS

- 6.1 Proposals should provide straightforward, concise information that satisfies the requirements of the “Proposal Contents” section below. Expensive bindings, color displays, and the like are not necessary or desired. Emphasis should be placed on conformity to the RFP’s instructions and requirements, and completeness and clarity of content.
- 6.2 The Proposer must submit **one (1) original and three (3) copies** of the proposal. The proposal (and the copies thereof) must be submitted to the Judicial Council in a single sealed envelope. The Proposer must write the RFP title and number on the outside of the sealed envelope.
- 6.3 Proposals must be delivered by the date and time listed on the coversheet of this RFP to:

Judicial Council of California
Fiscal Services Office, Business Services
Attn: Nadine McFadden, RFP: CJER-2015-03-LV
455 Golden Gate Avenue, 6th Floor
San Francisco, CA 94102-3688
- 6.4 Proposals must be received by the date and time listed on the coversheet of this RFP. Late proposals will not be accepted.
- 6.5 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.

7.0 PROPOSAL CONTENTS

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

- 7.1 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.

- 7.2. A resume describing the individual's background and experience, as well as the individual's ability and experience in conducting the proposed activities.
- 7.3 Names, addresses, and telephone numbers of a minimum of two references for whom the Proposer has conducted similar services. The Judicial Council may check references listed by the Proposer.
- 7.4 Writing samples not to exceed 50 pages total which includes legal research and writing similar to what is being required to produce in this contract.
- 7.5 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.
- 7.6 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.
 - ii. If Contractor is a California corporation, limited liability company ("LLC"), limited partnership ("LP"), or limited liability partnership ("LLP"), proof that Contractor is in good standing in California. If Contractor is a foreign corporation, LLC, LP, or LLP, and Contractor conducts or will conduct (if awarded the contract) intrastate business in California, proof that Contractor is qualified to do business and in good standing in California. 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.
- 7.7 Proposed Rate per hour, inclusive of any and all expenses.

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. The Judicial Council may release all offers upon issuance of a Notice of Award. Reference section 3.0 for Timeline for this RFP.

9.0 EVALUATION OF PROPOSALS

- 9.1 At the time proposals are opened, each proposal will be checked for the presence or absence of the required proposal contents.
- 9.2 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.
- 9.3 If a contract will be awarded, the Judicial Council will post an intent to award notice at Solicitations@jud.ca.gov.

CRITERION	MAXIMUM NUMBER OF POINTS	REFERENCE SECTION(S)
<i>Qualifications and Experience on similar assignments</i>	25	2.1, 7.2
<i>Quality of submitted writing samples</i>	25	7.4
<i>Responses to reference checks</i>	10	7.3
<i>Acceptance of the Terms and Conditions</i>	10	7.5, 7.6, Attachment 3, 4 & 5
Cost Proposal	30	5.0, 7.7
Maximum Score	100	

11.0 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 in person or by phone. If conducted in person, interviews will likely be held at the Judicial Council's offices. 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.

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

13.0 DISABLED VETERAN BUSINESS ENTERPRISE INCENTIVE

The Judicial Council has waived the DVBE incentive in this Request for Proposal.

14.0 PROTESTS

Any protests will be handled in accordance with Chapter 7 of the Judicial Branch Contracting Manual (see www.courts.ca.gov/documents/jbcl-manual.pdf). Failure of a Proposer to comply with the protest procedures set forth in that chapter will render a protest inadequate and non-responsive, and will result in rejection of the protest. The deadline for the Judicial Council to receive a solicitation specifications protest is the proposal due date. Protests must be sent to:

Judicial Council of California
Fiscal Services Office, Business Services
Attn: Protest Hearing Officer, RFP: CJER-2015-03-LV
455 Golden Gate Avenue, 6th Floor
San Francisco, CA 94102-3688

END OF RFP