



Judicial Council of California

ADMINISTRATIVE OFFICE OF THE COURTS

FINANCE DIVISION

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TO: POTENTIAL BIDDERS

FROM: Administrative Office of the Courts
Finance Division

DATE: **March 9, 2010**

**SUBJECT/PURPOSE
OF MEMO:** **ADDENDUM #1**

Project Title: SAN DIEGO DEPENDENCY REPRESENTATION
RFP Number: CFCC-200902-RB

**PROPOSAL DUE
DATE:** Proposals must be received by Monday, April 12, 2010, no later than 3:00 p.m.
(Pacific Time).

**SUBMISSION OF
PROPOSAL:** Proposals must be sent to:
Judicial Council of California
Administrative Office of the Courts
Attn: Nadine McFadden, CFCC-200902-RB
455 Golden Gate Avenue
San Francisco, CA 94102

**FOR FURTHER
INFORMATION:** E-MAIL:
Solicitations@jud.ca.gov

This Addendum 1 hereby modifies the RFP as follow:

1.0 The Appendix C, Budget Template has been deleted in its entirety and replaced with a revised Appendix C, Budget Template. The revised template now includes a separate tab for startup and transition costs.

2.0 For items 2.1 through 2.5, below, deletions in the RFP are shown in ~~strikeout font~~; insertions are shown in underlined font. Paragraph numbers refer to the numbers in the original RFP.

2.1 The following changes are made to Section 5.4 of the RFP:

“5.4 In addition to the hard copies mentioned above, proposers must also submit two electronic versions of the complete proposal, including the completed Budget Template, Appendix C, in Excel format. The electronic versions of the proposal should be on CDs included with the hard copies mailed to Nadine McFadden at the above address. ~~of cost projections.~~”

2.2 The following changes are made to Section 5.6.3. Description of Services to be Provided:

“5.6.3 Description of Services to be Provided

The proposer must provide detailed information regarding each of the following:

A. Services

Provide a general description of the services to be provided to meet the Scope of Services requirements for the selected Lot(s) covered by this proposal, as described in Attachment D, Sections 2.0, 3.0, and 4.0. The proposal must address how services will be provided to clients who use English as their second language or require services in Spanish, Vietnamese or ASL.

B. Start Up and Transition Plan

Provide a description of the plan to start up operations and transition representation from the current dependency representation provider, including:

- i. Plan to recruit and select qualified staff;
- ii. Plan to train staff;
- iii. Plan to transfer case files from the current provider; and
- iv. Plan to secure and furnish space, including furniture, computer and telephone equipment, and all other necessary business equipment.

If a proposer does not require a start up and transition plan, a statement to that effect should be provided in this section.

C.B. Organization and Staffing Plan

For all provider types, this section of the proposal must include information regarding the proposer's proposed organizational structure, including the following:

- A description of the business structure of the proposed representational model (e.g., public agency, private for-profit organizational representation, private non-profit organizational representation, centrally administered panel, any combination of the preceding, etc.);
- A description of the methods to be used for the recruitment and hiring of attorneys and support staff, including a description of minimum qualifications, and expertise and standards to be required;
- A timeline for staffing the organization, including administrative, support, legal and investigator/social worker staffing;
- A description of how vacancies that arise during the course of the contract will be filled, including a time line for recruitment, hiring and training qualified replacements;
- Organization chart that outlines organizational divisions/units;
- A staffing schedule using the Staffing Schedule Template provided in Appendix D listing all of the following:
 - Classification and full-time equivalent (FTE) or part-time status for each attorney position included in the proposal (i.e., if part-time, how much of the attorney's time will be dedicated to this contract);
 - Ratio of supervising attorneys to line attorneys;
 - Classification and FTE or part-time status of non-attorney staffing (i.e., if part-time, how much of each staff's time will be dedicated to this contract);
 - Job descriptions for all employee classifications listed in the staffing schedule referenced above;
 - Proposed number of clients per attorney, including a separate indication of the caseloads of supervising attorneys (counting each child as a client, irrespective of sibling group affiliation, where applicable).

In Lot 3 proposals, the proposer must clearly distinguish between the staffing plan and ratios for children's representation versus parents' representation.

D.C. Courtroom Coverage and Calendar Management

A Courtroom Coverage and Calendar Management Plan (Plan) that includes each of the following elements must be included:

1. A description of how courtroom coverage will be provided at all court locations, based on the information provided in Attachment D, Section 4.0;
2. A description of how calendaring conflicts with both local non-dependency and out-of-county cases, if applicable, will be avoided; and
3. A description of how qualified substitute representation will be provided when assigned counsel is unavailable due to vacation, illness, or other unavoidable absence. **Substitute counsel must be prepared to address substantive case issues in order to avoid court delay.**
 - a. A list of proposed substitute counsel must be included in the Plan.
N.B.: Substitute counsel are subject to the competency and education requirements specified in Section 5.6.4 below, as well as the performance requirements outlined in Attachment D, Section 2.0, Scope of Services.

~~E.D.~~ Supervision

The proposer must describe how they will supervise the work and work products to ensure the quality and adequacy of dependency representation, including courtroom coverage, for both attorney and non-attorney staff and any independently contracted attorneys used by the contractor.

~~F.E.~~ Conflicts

Proposals must include a detailed plan for identifying and handling conflict situations, pursuant to the criteria contained in Attachment D, Section 8.0.

All proposals must describe how all potential levels of conflicts will be addressed, and must demonstrate the ability to provide representation for all levels of conflict, including procedures to avoid ethical conflicts while providing representation to more than one party in a dependency case. Proposals must describe how secondary conflicts will be identified and avoided. In addition:

- Lot 1 proposals must demonstrate the ability to provide representation for all children, including procedures to avoid ethical conflicts while providing representation to children in a sibling group who present legal conflicts.
- Lot 3 proposals must clearly demonstrate how the unique conflict problems of a single organization providing representation to both children and parents will be addressed.

G.F. Facilities

Proposers must identify the proposed locations of office and client interview facilities.

H.G. Reporting and Billing Requirements

Proposals must include a plan for maintaining case and statistical information required for reporting and billing purposes, as specified in Attachment D, Section 10.0.

Contractors will be required to provide statistical information via the Juvenile Court Activity Tracking System (JCATS), a Web-based case management program. A snapshot of the JCATS screen, showing required reporting elements is provided in Appendix B.

2.3 The following changes are made to Section 5.6.7., Cost Proposal and Budget:

“5.6.7 Cost Proposal and Budget

A. Cost Proposal and Detailed Program Budget

The expected total annual cost for proposals, not including any necessary start up and transition costs, is as follow:

- Lot 1 Proposals: Between \$4,500,000 and \$5,200,000
- Lot 2 Proposals: Between \$3,700,000 and \$4,400,000
- Lot 3 Proposals: Between \$8,000,000 and \$9,600,000

The proposer must specify the total maximum cost to the AOC for the project for the following periods: July 1, 2010 – June 30, 2011, July 1, 2011 – June 30, 2012 and July 1, 2012 – June 30, 2013. Proposers must include a statement in this section that their cost proposal is being submitted with a clear understanding that its proposed costs are final, without restrictive conditions

that increase costs, and that its proposed costs will not be exceeded. **Proposals received without this statement will not be evaluated.**

Proposers must also provide in this section of the proposal a detailed line item budget for the periods July 1, 2010 – June 30, 2011, July 1, 2011 – June 30, 2012 and July 1, 2012 – June 30, 2013 using the Budget Template provided in Appendix C.

The budget template includes the following line items:

- Personnel,
- Benefits (e.g., medical/dental, vacation, etc.),
- Additional Professional Services (e.g., interpreters, etc.),
- Travel (includes in-county and out-of-county travel),
- Training,
- Insurance: These costs must reflect coverage levels as outlined in Attachment A, Section 7.0. Deductible amounts must be provided in the budget narrative;
- Rent;
- Overhead (includes utilities, supplies, etc.); and
- Reimbursable expenses (e.g., expert witnesses and out-of-state travel to visit child clients).

As specified in Attachment B, Section 2.0, the State will provide reimbursement for out-of-state travel to visit child clients and expert witnesses. An estimate of these expenses must be included in the Budget Template.

All proposers are required to complete parts A, B and C of the Budget Template provided in Appendix C. All proposers are required to submit an electronic copy of the completed Budget Template to the AOC, as specified in Section 5.4, above.

If the proposal includes any contract representation, the payment method and rate for cases that require representation other than by personnel employed by the organization must be described (e.g., hourly, per case, per hearing, etc.) in the Budget Template.

With the exception of client interview facilities at each of the court locations, as specified in Attachment D, Section 4.0, no facilities will be provided for the proposer under this proposal. All office space will be the responsibility of the proposer.

i. Start up and Transition Budget

The proposer must specify the total cost and to start up operations and transition representation from the current dependency representation provider, using the Budget Template provided in Appendix C.

- The proposer must complete the tab entitled “Startup and Transition,” detailing the total cost that will be incurred prior to beginning dependency representation services.

B. Budget Justification Narrative

All budgeted line items shown in the Budget Template must be explained in an accompanying narrative in this section of the proposal.

For Lot 3 proposers, if the proposer believes that there are certain economies of scale and hence savings to be realized through the provision of both children’s and parent’s representation by a single organization (e.g., administrative or overhead savings), the proposer should describe those savings in their response to the Budget Narrative Section of the proposal.

i. An explanation for the all budgeted line items for the start up and transition budget must be included in the Budget Justification Narrative.

C. Multiple Staffing Scenarios

The Judicial Council has adopted a caseload standard of 188 clients per full-time dependency attorney; this caseload assumes staffing of 0.5 FTE social worker or investigator per full-time attorney. Proposers are required to submit proposals that reflect this caseload.

Proposers may, in addition, submit alternate staffing scenarios that reflect different proposed caseloads levels. Proposers must provide a narrative that addresses the impact of each alternate proposed caseload, specifically addressing Section 5.6.3, and must provide cost proposals for each alternate proposed caseload level.”

2.4 The following changes are made to Section 7.0, EVALUATION OF PROPOSALS:

“7.0 EVALUATION OF PROPOSALS

Proposals will be evaluated by the Court and the AOC to determine the proposer’s demonstrated ability to provide quality legal services to parties in dependency proceedings for the applicable lot(s) proposed. Proposals for each lot will be evaluated separately. ~~The following evaluation criteria will be used, in order of descending priority:~~

The maximum total available score for all evaluation criteria categories is 100 points. Although some categories are weighted more than others, all are considered necessary, and a proposal must be technically acceptable in each area to be eligible for award. The evaluation categories, maximum possible points for each category, and evaluation criteria for each category are set forth in the paragraph 1 through 4 below.

1. Plan to provide comprehensive, high quality and timely services to all dependency departments of the Court (possible 45 points), including:
 - a) A description of the quality of services to be provided;
 - b) Related experience, background and professional qualifications of the personnel who are responsible for providing dependency counsel services and program administration.
 - c) Adequate oversight of the quality of services provided by the proposer and subcontractors, if applicable, under this proposal, including ability to attain and maintain proposal’s attorney:client ratios at initial startup, to fill vacancies in a timely basis as they arise, and to provide qualified substitute staff as needed during the course of day-to-day operations;
 - d) Plan to supervise and assist staff providing dependency representation and all related service;
 - e) Internal training, mentoring and continuing education program for new and ongoing staff, if proposal is for organizational representation.
 - e)f) A complete and timely response to follow-up questions from the Court and the AOC regarding the proposal, if applicable.
2. Explanation of the role of children’s and/or parents’ counsel in impacting child welfare outcomes, including a description of how the representation impacts the placement and permanency outcomes identified in Attachment D, section 5.0. (possible 25 points)
3. Reasonableness of cost proposal (possible 20 points), including:
 - a) Proposed average cost per client; and
 - b) Percentage of proposer’s costs directly applied to attorney services, and to indirect costs.
 - c) Caseload staffing plans. The AOC will evaluate staffing plans based on the caseload standard of 188 clients per full-time dependency attorney as set forth in section 5.6.7, Cost Proposal and Budget, subparagraph C, Multiple Staffing Scenarios. If alternate staffing plans are also proposed, the AOC reserves the right to consider such alternates for award if the AOC deems it to be in its best interest.

Addendum #1

Project Title: SAN DIEGO DEPENDENCY REPRESENTATION

RFP Number: CFCC-200902-RB

4. Acceptance of Proposal Contract Terms and Conditions (possible 10 points)

~~4. Explanation of the role of children's and/or parents' counsel in impacting child welfare outcomes outlined in Attachment D, Section 5.0.~~

~~5. A complete and timely response to follow-up questions from the Court and the AOC regarding the proposal, if applicable.~~

6.a) Proposer's written acceptance of the proposal conditions set forth in section 5.6.8, above.

7.b) Proposer's written statement of financial capabilities set forth in section 5.6.9, above.

a)c) Proposer's written acceptance of the contract terms and administrative rules as set forth in section 5.6.10, above, or the extent of any proposed exceptions as set forth in section 5.6.11, above."

2.5 The following change is made to Section 8 of Attachment C, Rights To Reject or Award Proposals, subparagraph C:

In Section 8 of Attachment C, Rights To Reject or Award Proposals, subparagraph C, is the following language: Proposers are specifically directed NOT to contact any AOC or Court or its personnel or consultants for meetings, conferences, or discussions that are specifically related to this RFP at any time between release of the RFP and any award and execution of a contract. Unauthorized contact with any AOC or Court or its personnel or consultants may be cause for rejection of the proposer's proposal.

[END OF ADDENDUM 1]