



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: ~~February-March~~ 10, 2009

**SUBJECT/PURPOSE
OF MEMO:** REQUEST FOR PROPOSALS
The Administrative Office of the Courts seeks

1.0 GENERAL INFORMATION

1.1. Background

The Judicial Council of California, chaired by the Chief Justice of California, is the chief policy making body of the California judicial system. The California Constitution directs the Council to improve the administration of justice by surveying judicial business, making recommendations to the courts, and making recommendations annually to the Governor and the Legislature. The Council also adopts rules for court administration, practice, and procedure, and performs other functions prescribed by law. The Administrative Office of the Courts (AOC) is the staff arm of the Council and assists both the Council and its chair in performing their duties.

1.2. Additional Background

The Executive Office Programs Division of the Administrative Office of the Courts (AOC) provides logistical and analytical support to the Judicial Council and works collaboratively with internal and external stakeholders to develop and implement policies and procedures to assist branch leaders in enhancing the administration of justice in California.

Judicial Council advisory committee members use their expertise in specific areas of the law and judicial administration to identify innovative practices and make recommendations to the council that will advance the cause of consistent, impartial, independent, and accessible administration of justice. The council and Administrative Director of the Courts also establish other advisory groups to work on specific projects. Some advisory groups operate under specific charge statements articulated in the California Rules of Court. Other advisory groups, such as Judicial Council Task Forces, receive specific tasks—which may have a limited time frame—and monitor and offer recommendations affecting a specifically defined purview.

2.0 PURPOSE OF THIS RFP

2.1 The Administrative Office of the Courts seeks the services of a consultant to conduct a review and analysis of judicial branch advisory bodies that will focus on their general and annual charges, work plans, areas of focus, completed work, organizational and budget-making structures, “Review of Need for Advisory Committee” procedures (under California Rule of Court 10.34(f)), and recruitment processes, and that will result in recommendations to the Judicial Council addressing possible charge statement revisions and/or structural changes that will:

- Ensure that the work of the advisory bodies aligns with their charge statements as well as branch priorities and objectives;
- Ensure that advisory bodies are used efficiently and effectively;
- Eliminate any duplication of effort among advisory bodies;
- Enhance the ability of advisory bodies to make valuable recommendations—within the scope of their respective charges—for improving the administration of justice in California.

2.2 The project will be in **two-phases** that will focus on specific advisory bodies currently serving the Judicial Council of California, the Administrative Director of the Courts, and other judicial branch entities, as follows:

2.2.1 **Phase 1 (June 2009 through April 2010):**

- A review and analysis of the **15** Advisory Committees and **9** Task Forces that:
 - ✓ Make recommendations to the *Judicial Council of California*; and that
 - ✓ Are overseen by the council’s internal committees: *Executive and Planning Committee* and *Rules and Projects Committee*

2.2.2 **Phase 2 (May 2010 through April 2011, Legacy Research):**

- A review and analysis of Advisory bodies that answer to:
 - ✓ The Administrative Director of the Courts of California (approx. 17), and
 - ✓ Other judicial branch entities (approx. 42).

3.0 SCOPE OF SERVICES

3.1 Services are expected to be performed by the consultant as follows:

3.1.1 **Phase 1:** Between June 2009 and April 2010, and

3.1.2 **Phase 2:** Between May 2010 and April 2011. ***NOTE: Phase 2 of the project is optional at the sole discretion of the AOC, pending availability of funding and subsequent execution of a mutually agreeable contract amendment.***

3.2 **In Phase 1** of the project—which will focus on the **15** standing advisory committees and **9** task forces overseen by the Judicial Council’s *Executive and Planning* and *Rules and Projects* Internal Committees—the consultant will be asked to:

3.2.1 Conduct an analysis of the general and annual charge statements that currently prescribe the work and focus of each advisory committee and task force;

3.2.2 Conduct a review and analysis of the member recruitment processes in place for the advisory committees and task forces;

3.2.3 Conduct a review and analysis of each advisory committee’s and task force’s recent work plans (or other task-related documents), and completed work;

3.2.4 Conduct interviews with advisory committee and task force chairs and lead staff to:

3.2.4.1 Determine actual committee/task force focus and direction;

3.2.4.2 Learn their opinions about the appropriate committee/task force focus and direction for the future;

3.2.4.3 Review/discuss the effectiveness of existing member recruitment processes;

3.2.4.4 Review/discuss the effectiveness of existing committee/task force budget-making processes;

3.2.4.5 Review/discuss existing five-year “Review of Need for Advisory Committees” procedures under *California Rule of Court 10.34(f)* (i.e., Sunset/Performance Audit procedures);

3.2.4.6 Determine the scope of work-related duties undertaken by advisory committee and task force staff and members; and

- 3.2.4.7 Explore the use and effectiveness of subcommittees and working groups operating within advisory bodies, as well as the scope of subcommittee work.
- 3.2.5 Prepare a written report containing:
 - 3.2.5.1 A gap analysis that compares the actual work and focus of the **15** advisory committees and **9** task forces against their respective charge statements, and branch priorities as articulated in the strategic and operational plans for California’s Judicial Branch.
 - 3.2.5.2 Specific recommendations for advisory body/task force charge statement revisions and structural and organizational changes and consolidations that will:
 - 3.2.5.2.1 Ensure that the work of the advisory bodies aligns with their charge statements as well as branch strategic/operational priorities and objectives;
 - 3.2.5.2.2 Eliminate duplication of effort among the advisory bodies encompassed in Phase 1 of the project;
 - 3.2.5.2.3 Clarify the duties and responsibilities of committee/task force chairs and lead staff;
 - 3.2.5.2.4 Enhance the ability of advisory bodies to make valuable recommendations—within the scope of their respective charges—to the Judicial Council for improving the administration of justice in California.
 - 3.2.5.2.5 Address possible improvements to advisory body member recruitment processes;
 - 3.2.5.2.6 Address possible improvements to committee/task force budget-making processes;
 - 3.2.5.2.7 Address possible revisions to existing five-year “Review of need for advisory committees” procedures (under California Rule of Court 10.34(f))—*i.e.*, *Committee Sunset/Performance Audit procedures*.
- 3.2.6 **Deliverables for Phase 1 of the project: (with Addendum No 1 and No. 2 incorporated)**
 - 3.2.6.1 **By June 5, 2009.** Participate in AOC Executive Office Programs staff briefing (telephone/video conference) to discuss project parameters and expectations.
 - 3.2.6.2 **By July 6, 2009.** Submit proposed outline of project and final report and recommendations.
 - 3.2.6.3 **By ~~September 11, 2009~~ October 19, 2009.** Submit Draft Interim Report and Recommendations and—pending ability of AOC-EOP staff to schedule—be available to attend onsite meeting (AOC San Francisco) for presentation of report to AOC staff, including the Administrative Director of the Courts and Chairs of the Judicial Council’s Internal Committee. The Interim Report and Recommendations shall contain:
 - 3.2.6.3.1 Draft Gap Analysis report to show:
 - 3.2.6.3.1.1 Where committee charges and actual committee work align/don’t align;
 - 3.2.6.3.1.2 Where committee charges and work align/don’t align with branch strategic and operational priorities.
 - 3.2.6.3.2 Draft Recommendations for:

- 3.2.6.3.2.1 Updating advisory committee/task force charge statements and areas of focus;
- 3.2.6.3.2.2 Effecting structural changes to maximize communication, collaboration, and to minimize/eliminate identified overlap among the advisory bodies addressed in Part 1 (includes recommendations on the use and effectiveness of subcommittees);
- 3.2.6.3.2.3 Clarifying the duties and responsibilities of committee/task force chairs and lead staff;
- 3.2.6.3.2.4 Improving advisory body member recruitment processes;
- 3.2.6.3.2.5 Improving committee/task force budget-making processes;
- 3.2.6.3.2.6 Clarifying and/or improving existing five-year “Review of need for advisory committees” procedures (*under California Rule of Court 10.34(f)*).

~~3.2.6.4~~ **By October 9, 2009:** Based on input received from stakeholders mentioned in deliverable ~~3.3.3.2.6~~ above, submit for AOC review Revised Interim Report and Recommendations (same report components as specified in ~~3.3.3.1~~ through ~~3.3.3.2.5~~ above).

~~3.2.6.5~~ ~~3.2.6.4~~ **By late mid November 2009, exact date to be determined.** Participate in telephone/video conference discussion of Revised Interim Report and Recommendations with AOC-EOP staff and—pending their availability—the Administrative Director and the Chairs of the Council’s internal committees.

~~3.2.6.6~~ ~~3.2.6.5~~ **By early December 2009, exact date to be determined.** Based on input received from stakeholders mentioned in deliverable ~~3.3.5~~ ~~3.2.6.5~~ ~~3.2.6.4~~ above, submit Revised Interim Report and draft PowerPoint presentation, and—pending ability of AOC-EOP staff to schedule—be available to attend the December 14, 2009, Judicial Council Issues meeting (San Francisco) in order to present the report to the full Council.

~~3.2.6.7~~ ~~3.2.6.6~~ **December 2009 through April 2010, exact dates to be determined.** Submit for AOC duplication a Final Report and Recommendations (incorporating any additional AOC revisions) as well as a revised PowerPoint presentation, and—pending ability of AOC-EOP staff to schedule—be available to attend the February, March, or April 2010 Judicial Council Issues *or* Business meeting in order to present the Final Report and Recommendations to the full Council.

- 3.3 **In Phase 2** (May 2010–April, 2011) of the project the consultant will conduct legacy research focusing on **17** advisory bodies that answer to the Administrative Director of the Courts of California and **42** other advisory bodies that advise other judicial branch entities. In Phase 2, the consultant will be asked to:
 - 3.3.1 Identify how the work of these additional advisory aligns with or does not align with established judicial branch strategic and operational priorities;
 - 3.3.2 Identify how the work of these additional advisory bodies relates to the previously prepared Phase 1 Gap Analysis Report;

- 3.3.3 Offer specific recommendations for structural and organizational changes and consolidations that will:
 - 3.3.3.1 Eliminate any duplication of effort among these advisory bodies and the efforts being undertaken by the groups studied in Part 1 of the project;
 - 3.3.3.2 Enhance the ability of all advisory bodies to make valuable recommendations to the Judicial Council for improving the administration of justice in California.
- 3.3.4 **Deliverables for Phase 2 of the project will be identified at a later date.**

4.0 EVALUATION OF PROPOSALS

- 4.1 Proposals should only address Phase 1 of the project (as noted in Sections 3.2 and its associated subsections) and will be evaluated by the AOC using the following criteria, in order of descending priority:
 - 4.1.1 Experience on similar assignments, team organization, amount of work subcontracted out
 - 4.1.2 Credentials of staff to be assigned to the project
 - 4.1.3 Quality of proposal submitted
 - 4.1.4 Reasonableness of cost/fee proposal
 - 4.1.5 Extent of any proposed contract exceptions
 - 4.1.6 Ability to meet timing requirements to complete the project

5.0 SPECIFICS OF A RESPONSIVE PROPOSAL

- 5.1 Responsive proposals should provide straightforward, concise information that satisfies the requirements noted above. Expensive bindings, color displays, and the like are not necessary or desired. Emphasis should be placed on conformity to the state's instructions, requirements of this RFP, and completeness and clarity of content.
- 5.2 The following information shall be included as the technical portion of the proposal:
 - 5.2.1 Name, address, telephone and fax numbers, and federal tax identification number. Note that if a sole proprietorship using its social security number is awarded a contract, the social security number will be required prior to finalizing a contract.
 - 5.2.2 Resumés describing the background and experience of key staff, as well as each individual's ability and experience in conducting the proposed activities.
 - 5.2.3 Description of key staff's knowledge of the requirements necessary to complete this project.
 - 5.2.4 Names, addresses, and telephone numbers of a minimum of **five (5)** clients for whom the consultant has conducted similar services. The AOC may check references listed by the consultant.
 - 5.2.5 Overall plan with time estimates for completion of all work required.
 - 5.2.6 Method to complete the Project:
 - 5.2.6.1 Proposed process necessary to address the project objectives
 - 5.2.6.2 Proposed data collection methods
 - 5.2.6.3 Proposed methodology
 - 5.2.6.4 Proposed project and team organization, etc.

6.0 COST PROPOSAL

- 6.1 The total cost for consultant services for Phase 1 of the above-referenced project will not exceed **\$105,000** inclusive of personnel, materials, computer support, travel, lodging, per diem, and overhead rates.
- 6.2 As a separate document, submit a detailed line item budget showing total cost of the services for Phase 1. Fully explain and justify all budget line items in a narrative entitled “Budget Justification.”
- 6.3 Proposers must provide a completed and signed DVBE Participation Form (blank form is included as Attachment D to this RFP).
- 6.3 Consultants will not provide a cost proposal for Phase 2 as the full scope of those services have not yet been determined. Consultant shall, however, identify and submit as a separate document entitled “Phase 2 Staff & Rates”, the fully loaded labor rates for individuals of consultant’s staff, and any subcontractors, that consultant anticipates using for Phase 2 services.
- 6.4 **THE STATE DOES NOT MAKE ANY ADVANCE PAYMENT FOR SERVICES.**
The AOC’s method of payment to the selected consultant for the services specified in this RFP will be by cost reimbursement.

7.0 SUBMISSION OF PROPOSALS

- 7.1 Provide an original and six (6) hardcopies of the proposal signed by an authorized representative of the company, including name, title, address, email address, and telephone number of one individual who is the bidder’s designated representative and single point of contact.
- 7.2 In addition to the original and hardcopies required by the previous subparagraph, provide one (1) non copy-protected electronic copy of the entire proposal in MS Word compatible format by submitting it on either a CD-ROM or DVD.
- 7.3 A vendor's submitted proposal shall constitute an irrevocable offer for **90 days** following the Proposal Due Date & Time as set forth on the coversheet to this RFP.
- 7.4 Proposals must be delivered to the individual listed in the Submission of Proposals section of the coversheet to this RFP and must be received no later than the Proposal Due Date & Time as set forth on the coversheet to this RFP.
- 7.5 All proposals must be delivered via U.S. Mail, common carrier, overnight delivery service (with proof of delivery), or hand delivery. A receipt should be requested for hand delivered material. Proposals received prior to the Proposal Due Date & Time that are marked properly will be securely kept, unopened until the Proposal Due Date & Time. Proposals received after the Proposal Due Date & Time will be deemed non-responsive and will not be considered. The AOC shall not be responsible for any delays in mail or by common carriers or by delivery errors or delays or missed delivery.

- 7.6 The proposer is solely responsible for ensuring that the full and complete proposal is received by the AOC in accordance with the solicitation requirements prior to the Proposal Due Date & Time and at the place specified.
- 7.7 **Submittal of proposals by facsimile or email transmission is not acceptable, and any proposal so transmitted will be rejected as non-responsive.**
- 7.8 Independence of Proposal and Joint Proposals:
- 7.8.1 Unless a proposer is submitting a joint proposal, the proposer represents and warrants that by submitting its proposal it did not conspire with any other vendor to set prices in violation of anti-trust laws.
- 7.8.2 A proposal submitted by two or more vendors participating jointly in one proposal may be submitted, but one vendor must be identified as the prime contractor and the other as the subcontractor. The AOC assumes no responsibility or obligation for the division of payments, authorized expenses if allowed by the subsequent contract, or responsibilities among joint contractors.

8.0 RFP SCHEDULE AND GENERAL INSTRUCTIONS

- 8.1 The AOC has developed the following list of key events and dates from issuances of this RFP through commencement of contracted services. All key events and dates are subject to change at the AOC's sole discretion.

<i>Event Description</i>	<i>Key Dates</i>
RFP Posted	February 10, 2009
Deadline for Proposers Questions	1:00 p.m. (Pacific Time) on March 6, 2009
AOC Posts Clarification / Response to Proposers Questions (estimated)	March 11, 2009
Proposal Due Date & Time	3:00 p.m. (Pacific Time) on March 27, 2009
Notice of Intent to Award Contract (estimated)	April 17, 2009
Commencement of Contracted Services	June 1, 2009

- 8.2 The RFP and any addenda that may be issued, including responses to proposers' requests for clarification or modification, will be made available on the following website:

<http://www.courtinfo.ca.gov/reference/rfp> (CourtInfo web site)

8.3 Request for Clarifications or Modifications

8.3.1 Vendors interested in responding to the solicitation may submit questions by e-mail only on procedural matters related to the RFP or requests for clarification or modification of this solicitation document, including questions regarding the Terms and Conditions in Attachment B, to the Solicitations mailbox referenced below. If the vendor is requesting a change, the request must state the recommended change and the vendor's reasons for proposing the change.

Solicitations mailbox: solicitations@jud.ca.gov

8.3.2 All questions and requests must be submitted by e-mail to the Solicitations mailbox and received no later than the date and time specified in Section 8.1 above. Questions or requests submitted after the due date will not be answered.

8.3.3 All e-mail correspondence sent to the Solicitations mailbox **MUST** contain the RFP number and other appropriate identifying information in the e-mail subject line. In the body of the e-mail message, always include paragraph numbers whenever references are made to content of this RFP. Failure to include the RFP number as well as other sufficient identifying information in the e-mail subject line may result in the AOC's taking no action on a vendor's e-mail submission.

8.3.4 Without disclosing the source of the question or request, the AOC Contracting Officer will post a copy of both the questions and the AOC's responses on the Courtinfo Web site.

8.3.5 If a vendor's question relates to a proprietary aspect of its proposal and the question would expose proprietary information if disclosed to competitors, the vendor may submit the question in writing, conspicuously marking it as "CONFIDENTIAL." With the question, the vendor must submit a statement explaining why the question is sensitive. If the AOC concurs that the disclosure of the question or answer would expose proprietary information, the question will be answered, and both the question and answer will be kept in confidence. If the AOC does not concur regarding the proprietary nature of the question, the question will not be answered in this manner and the vendor will be so notified.

9.0 RFP ATTACHMENTS

9.1 The following Attachments are incorporated into this Request For Proposals (RFP) by reference:

Attachment A - Administrative Rules Governing Request For Proposals

Attachment B - Terms and Conditions

Attachment C - Contract Exceptions Form

Attachment D - Payee Data Record

Attachment E - DVBE Participation Form

9.2 Attachment A, Administrative Rules Governing Request for Proposals. Proposers shall follow and be bound by the rules, set forth in Attachment A in preparing their proposal.

- 9.3 Attachment B, Minimum Terms and Conditions. The Contract with the successful firm will be signed by the parties on a Judicial Council of California, Administrative Office of the Courts Standard Agreement. The minimum terms and conditions for the Agreement are set forth in Attachment B
- 9.4 Attachment C, Contract Exceptions Form. Proposers must either indicate acceptance of the Minimum Terms and Conditions, as set forth in Attachment B, or clearly identify exceptions with a written summary of relevance and rationale to substantiate each proposed change.
- 9.5 Attachment D, Payee Data Record Form. The AOC is required to obtain and keep on file, a completed Payee Data Record for each vendor prior to entering into a contract with that vendor. Therefore, proposer's proposal must include a completed and signed Payee Data Record Form, set forth as Attachment D.
- 9.6 Attachment E, DVBE Participation Form. Proposers must demonstrate either (i) DVBE compliance with minimum participation goals, or (ii) written evidence of a "good faith effort" explaining why compliance with DVBE goals cannot be achieved.

10.0 RIGHTS

The AOC 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, obligation, or contract and in no way is the AOC or the State of California responsible for the cost of preparing the proposal. One copy of a submitted proposal will be retained for official files and becomes a public record.

11.0 CONTACT WITH THE AOC

- 11.1 Prospective service providers are specifically directed NOT to contact any AOC personnel or its consultants for meetings, conferences, or discussions that are specifically related to this RFP at any time prior to any notice of intent to award a contract. Unauthorized contact with any AOC personnel or its consultants may be cause for rejection of the vendor's proposal.
- 11.2 All communications with the AOC regarding this RFP, including submittal of questions pertaining to these solicitation documents, shall be made through the AOC's Solicitation Mailbox (solicitations@jud.ca.gov).

12.0 ADDITIONAL REQUIREMENTS

- 12.1 It may be necessary to interview prospective service providers to clarify aspects of their submittal. If conducted, interviews may be conducted by phone or by in-person presentations, at the AOC's discretion. The AOC will notify prospective service providers regarding the interview arrangements.
- 12.2 It may also be necessary for the AOC to request additional documentation or information in order to clarify aspects of a proposal or a vendor's ability to perform the required services. Should the AOC request such documentation or information, proposer shall

provide the requested documentation or information no later than the date specified by such request.

- 12.3 Failure of a proposer to participate in an interview, or provide requested documentation or information by the AOC's specified date may result in the vendor's proposal being disqualified for further evaluation.

13.0 CONFIDENTIAL OR PROPRIETARY INFORMATION

The Administrative Office of the Courts policy is to follow the intent of the California Public Records Act (PRA). If a vendor's proposal contains material noted or marked as confidential and/or proprietary that, in the AOC's sole opinion, meets the disclosure exemption requirements of the PRA, then that information will not be disclosed pursuant to a request for public documents. If the AOC does not consider such material to be exempt from disclosure under the PRA, the material will be made available to the public, regardless of the notation or markings. If a vendor is unsure if its confidential and/or proprietary material meets the disclosure exemption requirements of the PRA, then it should not include such information in its proposal.

14.0 DISABLED VETERAN BUSINESS ENTERPRISE PARTICIPATION GOALS

- 14.1 The State of California Executive Branch requires contract participation goals of a minimum of three percent (3%) for disabled veteran business enterprises (DVBEs). The AOC, as a policy, follows the intent of the Executive Branch program. Therefore, your proposal should demonstrate DVBE compliance; otherwise, if it is impossible for your company to comply, please explain why, and demonstrate written evidence of a "good faith effort" to achieve participation. For further information regarding DVBE resources, please contact the Office of Small Business and DVBE Certification, at 916-375-4940 or access DVBE information on the Executive Branch's Office of Small Business and DVBE Internet web site at: <http://www.dgs.ca.gov/default.htm>.
- 14.2 Prospective consultants/service providers must complete the DVBE Participation Form, included as Attachment E to this RFP, and include the signed form with the proposer's Cost/Fee Proposal.

END OF RFP