



Judicial Council of California
ADMINISTRATIVE OFFICE OF THE COURTS

FINANCE DIVISION

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TO: POTENTIAL BIDDERS

FROM: Administrative Office of the Courts
Executive Office Programs Division

DATE: **February 5, 2008**

SUBJECT/PURPOSE OF MEMO: REQUEST FOR PROPOSALS
Manual On Procedural Fairness And Applicable Best Practices For The California Courts

ACTION REQUIRED: You are invited to review and respond to the attached Request for Proposals ("RFP"):

Manual On Procedural Fairness And Applicable Best Practices For The California Courts
RFP Number: EOP-0108-RB

DEADLINE: **Proposals must be received by 1:00 p.m. March 4, 2008**

SUBMISSION OF PROPOSAL: Proposals must be sent to:
Judicial Council of California
Administrative Office of the Courts
Attn: Nadine McFadden RFP# EOP-0108-RB
455 Golden Gate Avenue
San Francisco, CA 94102

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The following documents 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 - Technical Proposal
- Attachment D - Fee Proposal
- Attachment E - Contract Exceptions
- Attachment F - Payee Data Record

1.0 GENERAL INFORMATION

1.1 Background

The Judicial Council of California, 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. The Administrative Office of the Courts (AOC) is the staff agency for the Council and assists both the Council and its chair in performing their duties.

1.2 Procedural Fairness in the California Courts

The Executive Office Programs (EOP) Division serves the judicial branch, its leaders, and the courts in advancing programs and innovations that support excellence in the administration of justice. To support the work of the Judicial Council, EOP works collaboratively with internal and external stakeholders to develop and implement policies and procedures to assist judicial branch leaders to enhance the administration of justice in the state. Building on the momentum generated by the Judicial Council's 2005–2006 public trust and confidence assessment (which was executed by EOP staff and outside consultants), the current branch initiative on procedural fairness in the California courts is focusing on strategies for the courts that will ensure that the public perceives the highest standards of fairness and quality treatment in court procedures. The council is committed to enhancing public trust and confidence in the California courts by supporting and promoting the branch policy of achieving procedural fairness in all types of cases.

2.0 PURPOSE OF THIS RFP

EOP seeks the services of a consultant with expertise in California trial and appellate court procedure, strategies and techniques regarding achievement of procedural fairness, and formulation of recommendations for the California courts, in order to develop and produce a comprehensive manual regarding procedural fairness and applicable best practices for the California Courts. The manual will contain effective techniques, tools for judges and court staff, best practices and model court programs – i.e., contents that are readily adaptable to court, education, and interactive Web environments. Ultimately, the manual will contain a variety of strategies and programs in order to help support the branch policy to achieve procedural fairness in all types of cases, articulated in *Justice in Focus, the Strategic Plan for California's Judicial Branch, 2006–2012* (e.g., “Work to achieve procedural fairness in all types of cases,” p. 28). Upon its completion, the manual will be distributed to every court in the state, and will further serve as a resource to develop educational courses and to identify best practices for the trial and appellate

courts. This RFP is the means for prospective service providers to submit their qualifications to the AOC and request selection as a service provider.

Bidders for the RFP should be familiar with the following documents:

Trust and Confidence in the California Courts, 2005–2006 (Phase I and Phase II reports):
http://www.courtinfo.ca.gov/reference/4_37pubtrust.htm

Justice in Focus, the Strategic Plan for California’s Judicial Branch, 2006–2012
http://www.courtinfo.ca.gov/reference/2_annual.htm

Procedural Fairness in the California Courts (2007)
http://www.courtinfo.ca.gov/programs/profair/documents/profair_brochure_092507.pdf

3.0 PROCUREMENT SCHEDULE AND GENERAL INSTRUCTIONS

3.1 The AOC has developed the following list of key events from RFP issuance through notice of contract award. All key dates are subject to change at the AOC’s discretion.

EVENT	Key Dates
Issue RFP	February 5, 2008
Deadline for Proposer Requests for Clarifications or Modifications	Feb 12, 2008 1:00 p.m.
AOC Posts Clarification / Modification Response	Feb 19, 2008
Proposal Due Date and Time	Mar 4, 2008 1:00 p.m.
Notice of Intent to Award (estimated)	Mar 18, 2008
Execution of Contract (estimated)	Apr 1, 2008

3.2 The RFP and any addenda that may be issued will be available on the following website:

<http://www.courtinfo.ca.gov/reference/rfp/> (“Courtinfo website”)

3.3 Proposal Submittal Address:

Nadine McFadden
RFP# EOP-0108-RB
Judicial Council of California
Administrative Office of the Courts
455 Golden Gate Avenue, 7th Floor
San Francisco, CA 94102-3688

3.4 Request for Clarifications or Modifications

3.4.1 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 set forth the recommended change and the vendor's reasons for proposing the change.

Solicitations mailbox: solicitations@jud.ca.gov

3.4.2 All questions and requests must be submitted by email to the Solicitations mailbox no later than the date specified in Section 3.1, Procurement Schedule and General Instructions. Questions or requests submitted after the due date will not be answered.

3.4.3 All email submissions sent to the Solicitations mailbox **MUST** contain the RFP number and other appropriate identifying information in the email subject line. In the body of the e-mail, 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 email subject line may result in the AOC taking no action on a vendor's email submission.

3.4.4 Without disclosing the source of the question or request, the AOC Contracting Officer will post a copy of the questions and the AOC's responses on the Courinfo website.

3.4.5 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 notified.

4.0 SCOPE OF SERVICES

4.1 Services are expected to be performed by the consultant between March 2008 and September 2009.

4.2 The consultant will be asked to:

4.2.1 On or before April 30, 2008:

- Develop approach to surveying and identifying procedural fairness best practices and techniques used in California and other states.
- Establish and meet with a volunteer editorial board of identified state and national experts and AOC informal working group that will provide subject matter review, identification of best practices, content guidance, and expertise for the manual.

4.2.2 On or before June 30, 2008:

- Complete initial survey and identification of existing areas of procedural fairness techniques, including best practices and techniques used in California and other states, and submit a report to AOC on technique findings, timetable and methodology for completion of the manual. The report will be submitted to the AOC's Executive Office and other interested parties.

4.2.3 On or before July 31, 2008:

- Align the content and purpose of the manual with the *California Judicial Branch Operational Plan*, expected to be adopted in February or April 2008 in order to help support implementation of *Justice in Focus, the Strategic Plan for California's Judicial Branch, 2006–2102*.
- Attend a meeting of Presiding Judges and Court Executive Officers in California regarding procedural fairness in order to help identify best practices and develop content for the manual.
- Continue data gathering of existing areas of procedural fairness techniques, including best practices.
- Present first draft outline and report of the manual to editorial board, AOC staff and its informal working group on procedural fairness for review and input.

- 4.2.4 On or before October 31, 2008:
- Conduct a minimum of 3 in-depth focus groups (a minimum of 1 conducted in each of the northern/central, southern, and northern coastal regions of the state) with court and public stakeholders for input on the manual regarding targeted practical areas concerning the four elements of procedural fairness—respect, voice, trust and neutrality, in the case venues or types most frequented by the public (family and juvenile, traffic, small claims and jury service).
 - Present second draft report of the manual to editorial board, AOC staff and its informal working group on procedural fairness for review and input; refine manual based on critique and feedback.
- 4.2.5 On or before February 28, 2009:
- Present progress report and work plan to Judicial Council at an Issues Meeting regarding the preparations for and formation of the manual.
 - Present final draft report of the manual to editorial board, AOC staff and its informal working group on procedural fairness for review and input; refine manual based on critique and feedback.
- 4.2.6 On or before June 30, 2009:
- Vet and field-test the manual in selected courts concerning the best practices and guidelines recommended in the draft report.
 - Refine manual based on court evaluation, critique and feedback.
 - Present revised manual to editorial board, AOC staff and its informal working group on procedural fairness for review and input.
- 4.2.7 On or before August 15, 2009:
- Edit and write the final manual (the manual must be edited to the satisfaction of the AOC and comply with the AOC Style Guide).
 - Submit text and artwork for a professionally designed final report to the AOC that is ready for printing and publication in September 2009 (examples of professionally-designed reports are the Phase I and Phase II final reports completed for *Trust and Confidence in the California Courts*, or the graphic version of *Justice in Focus, the Strategic Plan for California's Judicial Branch, 2006-2012*; links to these reports are provided above).

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 Proposals shall be submitted in the following manner:

- One printed and signed hard copy
- Three copies of the printed and signed hard copy. The printed hard copies of the Proposal must be signed by a representative of the company, including name, title, address, and telephone number of one individual who is the company's designated representative.
- One CD containing all proposal files.

5.3 Bidders must complete and submit the following documents in its proposal:

- Attachment C – Technical Proposal
- Attachment D – Fee Proposal
- Attachment E – Contract Exceptions, and
- Attachment F – Payee Data Record

5.4 The following information shall be included as the technical portion of the proposal:

- 5.4.1 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.
- 5.4.2 Resumes describing the background and experience of key staff, as well as each individual's ability and experience in conducting the proposed activities.
- 5.4.3 Describe key staff's knowledge of the requirements necessary to complete this project.
- 5.4.4 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.
- 5.4.5 Overall plan with time estimates for completion of all work required.
- 5.4.6 Method to complete the Project:
 - 5.4.6.1 Proposed process necessary to address the project objectives.
 - 5.4.6.2 Proposed data collection methods.
 - 5.4.6.3 Proposed methodology.

5.4.6.4 Proposed project and team organization.

5.5 Failure of the proposer to comply with the requirements set forth in this Section may result in the proposal being deemed non-responsive to the RFP and being rejected.

6.0 FEE PROPOSAL

6.1 Pricing shall be proposed as firm fixed pricing per deliverable. Using Attachment D, Fee Proposal, submit a detailed line item budget showing total cost of the services for each deliverable.

6.2 The method of payment to the consultant will be by cost reimbursement

7.0 RIGHTS

Proposers awarded a contract will have no ownership right in any of the forms produced or revised under the requirements of the contract contemplated by this RFP and the proposer cannot copyright them. The AOC reserves the right to develop and make available for public use all translated forms, documents, and text at no cost to the public.

8.0 EVALUATION OF PROPOSALS

Proposals will be evaluated by the AOC using the following criteria, in order of descending priority:

- a. Quality of work plan submitted, including methodology to complete the work
- b. Experience on similar assignments, with an emphasis on adaptability of work to Web environments
- c. Reasonableness of cost projections [or Fee proposal]
- d. Credentials of staff to be assigned to the project
- e. Ability to meet timing requirements to complete the project
- f. Reference checks

9.0 ADDITIONAL REQUIREMENTS

9.1 It may be necessary to interview prospective service providers to clarify aspects of their submittal. If conducted, interviews will likely be conducted by telephone conference call. The AOC will notify prospective service providers regarding the interview arrangements.

10.0 ADMINISTRATIVE RULES AND PROPOSED CONTRACT TERMS

- 10.1 Incorporated in this RFP, and attached as Attachment A, is a document entitled “Administrative Rules Governing Requests for Proposals. Bidders shall follow these rules in preparation of their proposals.
- 10.2 Contracts with successful firms will be signed by the parties on a State of California Standard Agreement form and will include terms appropriate for this project. Generally, the terms of the contract will include, but are not limited to the terms and conditions in Attachment B of this RFP