



REQUEST FOR PROPOSALS

**ADMINISTRATIVE OFFICE OF THE COURTS
(AOC)**

REGARDING:
LEGAL SERVICES PROVIDERS TO OPERATE
PILOT PROJECTS UNDER THE
SARGENT SHRIVER CIVIL COUNSEL ACT

RFP: CFCC 13-13-LM

PROPOSALS DUE:
MAY 28, 2014
NO LATER THAN 2:00 P.M. PACIFIC TIME

1.0 BACKGROUND INFORMATION

1.1 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 AOC is the staff agency for the council and assists both the council and its chair in performing their duties.

1.1.1 The Center for Families, Children & the Courts (CFCC), housed in the AOC'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.

1.1.2 The Judicial Council is charged with the implementation of the Sargent Shriver Civil Counsel Act (AB 590 (Feuer), Stats. 2009 Ch. 457) by funding pilot projects.

1.1.3 CFCC is responsible for administering the pilot project grant contracts, which may be awarded to legal services providers as a result of this RFP.

1.2 The **Sargent Shriver Civil Counsel Act**, which commenced in fiscal year 2011–2012, provided for one or more pilot projects selected by the Judicial Council would be funded for legal representation and improved court services to low-income parties on critical legal issues affecting basic human needs.

1.2.1 The purpose of the individual pilot projects is to improve timely and effective access to justice in civil cases and thereby avoid undue risk of erroneous court decisions resulting from the nature and complexity of the law in the specific proceeding or the disparities between parties in legal representation, education, sophistication, language proficiency, and lack of access to self-help or alternative dispute resolution services.

1.2.2 Selected legal services providers will provide legal representation to low-income Californians who are at or below 200% of the federal poverty level and need representation in one or more of the following areas:

- Housing-related matters;
- Domestic violence and civil harassment restraining orders;
- Elder abuse; and
- Guardianship of the person;
- Probate conservatorship; or
- Child custody actions by a parent seeking sole legal or physical custody of a child, particularly where the opposing side is represented.

- 1.2.3 Among the highest priorities will be pilot projects that provide legal representation in child custody cases in which a parent is seeking sole legal or physical custody, particularly when one side is represented and the other is not. Up to 20% of available funding shall be allocated for pilot projects that provide representation in child custody cases.
- 1.2.4 Each pilot project is a partnership among (i) the court, (ii) a qualified legal services project, as defined by subdivision (a) of §6213 of the Bus. & Prof. Code, that shall serve as the lead legal services agency for case assessment and direction, and (iii) other legal services providers in the community who are able to provide the services for the project. The lead legal services agency shall be the central point of contact for receipt of referrals to the project and to make determinations of eligibility based on uniform criteria. The lead legal services agency shall be responsible for providing representation to the clients or referring the matter to one of the organizations or individual with whom the lead legal services agency contracts to provide the service. To the extent practical, legal services agencies must identify and make use of pro bono services from attorneys in order to maximize available services efficiently and economically. Each pilot project is required to form a Local Advisory Committee to include representatives from the bench and court administration, the lead legal services agency, and the other providers that are part of the pilot project.
- 1.2.5 Selected court partners will be required to implement improved court procedures, training, case management and administration methods, and best practices to ensure that eligible low income unrepresented parties in the proposed areas of law have meaningful access to justice. Improved court procedures should guard against the involuntary waiver or other loss of rights in the selected legal areas and the disposition of cases by default or without appropriate information and regard for potential claims and defenses. Procedures should also encourage fair and expeditious voluntary dispute resolution, consistent with principles of judicial neutrality, and take into account that self-help services may be inadequate to meet the needs of unrepresented parties because of their relative education, income, language proficiency, and the skills needed to effectively advocate for themselves in light of the nature and complexity of the proceeding, particularly when the opposing party is represented by counsel.
- 1.2.6 Ten pilot projects were selected by the Judicial Council and began operation in early 2012. The pilot projects are in following counties, some of which offer multiple types of services: Los Angeles, San Diego, Santa Barbara, Kern, San Francisco, Yolo, and Sacramento. All projects involve legal services providers working in collaboration with local superior courts to provide representation and other assistance to low income Californians who are facing a represented party. Six of the 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. Under the terms of the legislation, these ten projects were authorized for a three-year period, subject to renewal for a period to be determined by the Judicial Council in consultation with each participating project in light of the project's capacity and success. After the initial three-year period, the Judicial Council shall distribute any future funds available as a result of the termination or nonrenewal of a project, "in consultation with each participating project in light of the project's capacity and success." The initial three-year period will end on September 30, 2014. After the initial three-year period, the Judicial Council shall distribute any future funds available as the result of the termination or nonrenewal of a project.

1.2.7 A key element of the pilot projects is participation in a study to be submitted to the legislature in January, 2016. The study will report on the percentage of funding by case type and will include data on the impact of counsel on equal access to justice and the effect on court administration and efficiency, as well as enhanced coordination between courts and other government service providers and community resources. The report will describe the benefits of providing representation to those who were previously not represented, both for the clients and the courts, as well as strategies and recommendations for maximizing the benefit of that representation in the future. The report will describe and include data, if available, on the impact of the pilot program on families and children. The report will also include an assessment of the continuing unmet needs and, if available, data regarding those unmet needs.

1.3 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.

2.0 PURPOSE FOR THIS REQUEST FOR PROPOSALS (RFP)

2.1 This RFP is the means for legal services providers to submit their qualifications and request selection as a pilot project legal services provider.

2.2 It is the intention of the AOC to award one or more grant contracts for the **Initial Term** (October 1, 2014 through September 30, 2015) and 2 additional Terms: **First Option Term** (October 1, 2015 through September 30, 2016) and **Second Option Term** (October 1, 2016 through September 30, 2017), shall be exercised at the discretion of the Judicial Council in consultation with the participating project in light of the project's capacity and success. The Second and Third Option Terms will extend the Agreement under the same terms and conditions in effect for the Initial Term. *The Cost Proposal for this RFP shall be made for all three (3) years.* The total available funding for all projects in a single 1-year Term is expected to be approximately \$8 million per year, funded by a \$10 fee increase on certain post-

judgment court services. **A proposal will be used for the county for which it is proposed and not for additional counties.**

- 2.3 Proposals must be submitted by the qualified legal services project that shall serve as the lead legal services agency and approved by the partnering superior court.

3.0 TIMELINE FOR THIS RFP

The AOC has developed the following list of key events related to this RFP. All dates are subject to change at the discretion of the AOC.

EVENT	DATE
RFP issued	April 28, 2014
Deadline for questions to Solicitations@jud.ca.gov	May 13, 2014, no later than 2:00 PM (PT)
Questions and answers posted (<i>estimate only</i>)	May 15, 2014
Latest date and time proposal may be submitted	May 28, 2014, no later than 2:00 PM (PT)
Evaluation of proposals. This period includes interviews. (<i>See 10.0 Interviews</i>) (<i>estimate only</i>)	May 28 through June 24, 2014
Notice of Intent to Award (<i>estimate only</i>)	June 27, 2014
Negotiations and execution of contract (<i>estimate only</i>)	July 7, 2014 through July 29, 2014
Notice of Award (<i>estimate only</i>)	July 31, 2014
Contract start date (<i>estimate only</i>)	October 1, 2014
Contract end date (<i>estimate only</i>)	September 30, 2015

4.0 RFP ATTACHMENTS

A. 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: AOC Standard Terms and Conditions	If selected, the person or entity submitting a proposal (the "Proposer") must sign this AOC Standard Form agreement. NOTE: The provisions marked with an (*) within the Terms and Conditions are minimum contract terms and conditions ("Minimum Terms").

ATTACHMENT	DESCRIPTION
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: A material exception to a Minimum Term renders a proposal non-responsive.
Attachment 4: General Certifications Form	The Proposer must complete the Conflict of Interest Certification 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: Iran Contracting Act Certification	The Proposer must complete the Iran Contracting Act Certification and submit the completed certification with its proposal.
Attachment 7: Payee Data Record Form	This form contains information the AOC requires in order to process payments and must be submitted with the proposal.
Attachments 3-7 must be signed by an authorized representative of the Proposer.	

5.0 SUBMISSIONS OF PROPOSALS

5.1 Proposals should provide straightforward, concise information that satisfies the requirements of *Section 6, Proposal Contents*. Expensive bindings, color displays, marketing or sales materials do not add value to the evaluation process. Emphasis should be placed on conformity to the RFP's instructions and requirements, completeness and clarity of content. The proposal must be double-spaced, using a standard 12-point font with at least 1-inch margins and must not exceed 25 pages. All pages must be numbered.

5.2 Letter of Introduction.

Within a two-page limit, the following must be included: Proposer's name, address, telephone, fax, email, social security number or federal tax identification number, and a statement that the Proposer is a qualified legal services project as defined by Bus. & Prof. Code §6213(a); a general description of the proposed pilot project, which identifies the areas of law for which legal representation will be provided and the amount of funding requested. It must identify the superior court partner and the names of any other legal services providers that will participate in the pilot project. The Letter of Introduction must name the persons who will be authorized to make representations for the Proposer the superior court, and other legal services providers and include the mailing and email address, telephone and fax numbers of each authorized representative. The proposal must be signed by the duly authorized representative of the lead legal services agency and the partner court. A letter from the duly authorized representative of the court, which gives

approval for the submission of this proposal, may be submitted in lieu of signatures on the Letter of Introduction.

5.3 Signatures.

5.3.1 The proposal must be signed by the president of the Board of Directors and the executive director or other individuals that have been duly authorized by the lead legal services agency's board of directors to execute contracts on behalf of the agency.

5.3.2 If the proposal is signed by a person other than the president of the Board of Directors, or the executive director, or by only one them, there must be attached to the proposal satisfactory evidence that the person signing is authorized by the corporation to execute contracts and bind the corporation on its behalf (e.g., certified copy of a corporation resolution or copy of appropriate corporate bylaws).

5.3.3 The Letter of Introduction or supporting letter from a superior court must be signed by the presiding judge and the court executive officer.

5.3.4 **NOTE:** The AOC will only enter into a contract with the qualified legal services project serving as the lead legal services agency for the selected pilot project.

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

5.4.1 The Proposer will submit **one (1) original and three (3) copies** each of the Technical Proposal and Cost Proposal. The original and 3 copies of each proposal shall be in a separate sealed inside envelope and the two sealed envelopes shall be in one (1) outside envelope. The originals must be signed by an authorized representative of the Proposer. The Proposer will write the RFP title and number on the outside envelope.

5.4.2 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 – AOC 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 – Iran Contracting Act Certification Form
- Attachment 7 – Payee Data Record Form

Further explanation of the attachments is provided in 6.1.6 and 6.1.7, below.

- 5.4.3 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.**
- 5.5 Only hard copy proposals will be accepted. Proposals must be submitted by registered or certified mail, courier service (e.g. FedEx), or delivered by hand to the following address. Proposals may not be submitted by facsimile or email.

Judicial Council of California
Administrative Office of the Courts
Fiscal Services Office, Business Services
Attn: Nadine McFadden, **RFP: CFCC 13-13-LM**
455 Golden Gate Avenue 6th Floor
San Francisco, CA 94102-3688

- 5.6 Proposals must be received by the date and time listed on the coversheet of this RFP. Late proposals will not be accepted.

6.0 PROPOSAL CONTENTS

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

- 6.1 **Technical Proposal.** The following information must be included in the Technical Proposal, *which shall cover the maximum 3 one-year Terms*. Every effort must be made to provide detailed information for services. A proposal lacking any of the following information may be deemed non-responsive.

6.1.1 General information about the Proposer. Proposer's name, address, telephone and fax numbers, and federal tax identification number.

6.1.2 Project Narrative. The Proposer must provide a detailed description of the services to be provided.

6.1.2.1 The proposal must identify the lead legal services agency, the court, and all other agencies and individuals that will participate in the pilot project and the nature of their participation. It must describe how the pilot project will be administered. The proposal must specify the areas of law for which legal representation will be provided and the objectives the proposed pilot project seeks to achieve. For 2011-2014 projects, what innovations were instituted in the previous grant? Provide any information on the success and challenges of those efforts. What changes or modifications does the project propose for the second phase, if any? Describe

the innovations that the court will adopt or has adopted and maintains regarding court procedures, training, case management and administration methods, and implement best practices to ensure that eligible low income unrepresented parties in the proposed areas of law will have meaningful access to justice. Describe how the court procedures will, for example, increase settlements, preserve court resources and personnel, reduce inaccurate or incomplete court papers, unnecessary continuances, and unproductive court appearances, and guard against the involuntary waiver of rights or other loss of rights or the disposition of cases by default or without the court receiving appropriate information to determine the case. Provide any information on the success and challenges of those efforts.

- 6.1.2.2 Describe any new procedures that the court has adopted or will adopt to encourage the parties to participate in fair and expeditious voluntary dispute resolution, consistent with the principles of judicial neutrality. Provide any information on the success and challenges associated with these efforts.
- 6.1.2.3 Provide an estimate of the proportion of the eligible population who are currently unrepresented in the proposed areas of law for which legal representation will be provided and the proportion of unrepresented persons in the proposed areas of law who face represented opponents. Explain what information was used in making these estimates.
- 6.1.2.4 Explain how the pilot project has or might eliminate or reduce the need for and cost of public social services or otherwise lead to potential public savings.
- 6.1.2.5 Provide an overview of the program's qualifications, highlighting experience providing legal representation in the areas of law for which services will be provided or other areas and the expertise and experience of staff members who will be responsible for the pilot project. Provide an overview of qualifications of all other agencies or individuals who will be providing legal representation in the pilot project.
- 6.1.2.6 Describe collaborative efforts between the lead legal services agency and the court and between the lead legal services agency and other legal services agencies that will be participating in the pilot project. Please provide the highlights or achievements from those collaborative efforts as well as the challenges associated with those efforts.

- 6.1.2.7 Describe how many clients it is anticipated will be served by the pilot project. Please include a description of the services to be provided (e.g., full representation, limited scope representation, referral to self help or alternative dispute resolution, etc.) and the number of clients who will receive each type of service. For the 2011-2014 projects, if the numbers of clients served are different than what was initially anticipated, please explain why.
- 6.1.2.8 Describe how individuals will be referred to the pilot project for legal representation. For 2011-2014 projects, if this procedure has changed over time, please note that and explain the reasons for the change.
- 6.1.2.9 Describe the methods and criteria that will be utilized to assess cases and determine which eligible persons are provided full legal representation, which are provided limited legal representation, which are provided only advice and assistance, and which eligible persons are referred to self help or other services. Why were these methods and criteria chosen?
- 6.1.2.10 Describe how conflicts will be identified and addressed without violating attorney-client privilege when adverse parties are seeking representation and both parties are eligible for services. Describe the protocols for referring to the cooperating agency or conflicts panel when both parties are eligible for services.
- 6.1.2.11 Describe how private attorneys will be utilized in the pilot projects as pro bono counsel and/or as paid contractors and how both categories will maintain and supply information about the time devoted to representation of project clients for purposes of evaluation. How have pro bono attorneys been used to provide these services?
- 6.1.2.12 Describe how services will be provided to individuals with limited English proficiency.
- 6.1.2.13 Organization and Staffing Plan - This section of the proposal must include information regarding the proposer's organizational structure, including the following:
 - 6.1.2.13.1 A staffing schedule listing all of the following, if applicable:
 - a. 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); and

- b. 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).

6.1.2.13.2 Proposed number of clients per full time equivalent attorney.

6.1.2.14 Describe the processes you have in place to ensure that neither you, nor your approved subcontractors double charge personnel time or costs to different contracts.

6.1.2.15 Describe how attorney and support staff will be supervised to ensure the quality and adequacy of legal representation. Include a description of the mechanisms to ensure the oversight of the quality of services provided by subcontractors and pro bono attorneys.

6.1.2.16 Describe training, mentoring, and continuing education programs that will be offered to attorney and other staff, including contract and pro bono attorneys providing legal representation.

6.1.2.17 Provide information about the location(s) or planned location(s) for the pilot project. Include information about whether the location is accessible for persons with disabilities.

6.1.2.18 Describe the lead legal service agency's capability to participate in the evaluation of the Shriver project as required by AB590, and state the agency's commitment to cooperate with the evaluation contractor. Describe how the agency will assist the evaluation contractor with data collection, including: supplying information about the time devoted to representation of project clients, maintaining case and statistical information required for reporting purposes, facilitating access to court records for review, facilitating access to clients for follow-up surveys or interviews, and hosting evaluator site visits. Indicate the agency's willingness to participate in an extensive site-level evaluation, including the possibility of random assignment of cases to either receive or not receive representation. For the 2011-2014 projects, describe the project's participation in the evaluation to date. The Implementation Committee will assess the agency's capability and commitment to evaluation in making recommendations to the Judicial Council regarding which proposed projects to fund.

6.1.3 Project Plan. The Proposer must provide a comprehensive, high quality

and timely representation plan.

- 6.1.3.1 The description of the areas of law for which legal representation will be provided and quantity and quality of services to be provided.
- 6.1.3.2 The extent to which proposed services provide legal representation in areas of the law in which clients are likely to be opposed by a party who is represented by counsel.
- 6.1.3.3 The availability and effectiveness of court services such as self help in the geographic area where the proposed services will be provided.
- 6.1.3.4 The description of the lead legal service agency and how the pilot project fits into the existing structure of the agency.
- 6.1.3.5 Whether there is a history of collaborative efforts between the lead legal services agency and the courts and the lead legal services agency and other legal services agencies that will be participating in the pilot project.
- 6.1.3.6 The innovations that the court will adopt or continue to ensure that eligible low income unrepresented parties in the proposed areas of law will have meaningful access to justice.
- 6.1.3.7 The process for referring cases to the lead legal services agency and the lead legal services process for determining eligibility.
- 6.1.3.8 The basis for and the effectiveness of the plan for assessing cases and determining which eligible persons are provided legal representation and which are referred to self help or other services.
- 6.1.3.9 The lead legal services agency's process for determining and handling conflicts and its plan for referring cases to attorneys outside the lead legal services agency.
- 6.1.3.10 The extent to which the proposed legal representation would tend to affect whether a party prevails or otherwise obtain a significantly more favorable outcome.
- 6.1.3.11 The extent to which mechanisms are in place to provide adequate oversight of the quality of services provided by the Proposer and subcontractors.
- 6.1.3.12 The plan to supervise, support, and assist pilot project staff and contract or pro bono attorneys who provide legal representation;

and,

6.1.3.13 The plan for providing training, mentoring and continuing education program for new and ongoing staff, and all contract or pro bono attorneys providing legal representation.

6.1.4 Project Explanation. The Proposer must provide an explanation of the role of the proposed pilot project.

6.1.4.1 In eliminating or reducing the potential need for and the cost of public social services or otherwise leading to potential public savings;

6.1.4.2 In reducing the unmet need for legal services in the geographic area to be served;

6.1.4.3 In guarding against the involuntary waiver or other loss of rights;

6.1.4.4 In reducing the risk of erroneous court decisions;

6.1.4.5 In encouraging fair and expeditious voluntary dispute resolution;

6.1.4.6 In resulting in a more informed decision of the court or a more favorable outcome for the client;

6.1.4.7 In addressing the needs of the court in regards to access to justice, calendar management, and the fair and efficient administration of justice; and

6.1.4.8 In providing information about the cost effective provision of legal representation to eligible low-income clients in the specified areas of the law that can be replicated in other parts of the state.

6.1.5 Proposer's experience and ability to meet RFP deliverable requirements

6.1.5.1 An overview of the Proposer's business activities, including a description, and the duration and extent, of the Proposer's activities, which are relevant to this proposal including a description, and the duration and extent, of the Proposer's experience conducting the proposed activities.

6.1.5.2 A description of three (3) similar projects that the Proposer has completed.

6.1.5.3 Names, addresses, and telephone numbers of the clients for whom the Proposer has conduct those projects. The AOC shall check references listed by Proposer.

6.1.5.4 For each key staff member who would work on this project, describe the individual's background, training, and experience, including the individual's ability and experience in conducting similar projects.

6.1.6 Acceptance of the Terms and Conditions

6.1.6.1 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.

6.1.6.2 *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.

NOTE: A proposal that takes a material exception (addition, deletion, or other modification) to a Minimum Term will be deemed nonresponsive. The AOC, in its sole discretion, will determine what constitutes a material exception.

6.1.7 Certifications, Attachments, and other requirements

6.1.7.1 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.

6.1.7.2 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.

6.1.7.3 Proposer must complete and submit with proposal *Attachment 6, Iran Contracting Act Certification Form*. Pursuant to Public Contract Code (PCC) §2204, the *Form* is required for solicitations of goods or services of \$1,000,000 or more.

6.1.7.4 Proposer must complete and submit with proposal *Attachment 7, Payee Data Record Form* or provide a copy of a form previously submitted to the AOC.

- 6.1.7.5 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.
 - 6.1.7.6 Proposer must provide copies of current business licenses, professional certifications, or other credentials.
- 6.2 **Cost Proposal.** The following information must be included in the Cost Proposal. Every effort must be made to provide detailed information for charges and costs. A proposal lacking any of the following information may be deemed non-responsive.
- 6.2.1 The pricing for legal services, as defined in Attachment 2, Exhibit C, Payment Provisions.
 - 6.2.2 The Proposer shall specify the total maximum cost to the AOC for the project for Terms set forth in 2.2, above. Proposers must include a statement that the 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.**
 - 6.2.3 Project Costs.
 - 6.2.3.1 Percentage of Proposer’s costs directly applied to attorney services, and the percentage to non personnel costs;
 - 6.3.2.2 The reasonableness of proposed salaries for pilot project staff;
 - 6.3.2.3 Extent to which Proposer has incorporated the use of pro bono attorneys or other volunteers into the pilot project;
 - 6.3.2.4 Extent to which the proposed pilot project has created efficiencies in service delivery.
 - 6.3.2.5 Extent to which court innovations will increase settlements, preserve court resources and personnel, reduce inaccurate or incomplete court papers, unnecessary continuances, and unproductive court appearances or otherwise create efficiencies in

court operations.

6.3.2.6 All pricing is to be submitted in an unprotected Microsoft Excel format. No compressed files will be accepted. Cost should be detailed where necessary.

6.3.2.7 It is expected that all service providers responding to this RFP will offer the service provider's government or comparable favorable rates. Proposers should make their best and final offer on the most favorable terms available.

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 §17030 of the Business and Professions Code.

7.0 OFFER PERIOD

A Proposer's proposal is an irrevocable offer for one hundred twenty (120) days following the proposal due date. In the event a final contract has not been awarded within this one hundred twenty day (120) period, the AOC reserves the right to negotiate extensions to this period.

8.0 EVALUATION OF PROPOSALS

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

8.2 Proposals will be reviewed by an Implementation Committee appointed by the Chief Justice, who is Chair of the Judicial Council. The Implementation Committee will select pilot projects based on whether persons proposed to be assisted are likely to be opposed by party who is represented by counsel in the areas of law proposed for services. The Implementation Committee will also consider the applicants' capacity for success, innovation and efficiency, including, but not limited to, the likelihood that the project would deliver quality representation in an effective manner that would meet critical needs in the community and address the needs of the court with regard to access to justice and calendar management, and the unique local unmet needs for representation in the community. The Implementation Committee will also assess whether the legal services organizations and the courts have the capability to provide data for the evaluation that is required by AB 590. The Implementation Committee will make recommendations to the Judicial Council regarding which proposed pilot projects to fund.

8.3 Proposals will be evaluated by the Implementation Committee and Judicial Council to determine the Proposer's demonstrated ability to provide quality legal services to parties in civil cases efficiently and economically and the court's proposed

innovations to help ensure that eligible low income unrepresented parties in the proposed areas of law will have meaningful access to justice.

- 8.4 The AOC 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
Cost Proposal	30
Quality of work plan submitted	35
Acceptance of the Terms and Conditions	15
Demonstrated experience and ability.	15
References	5

9.0 INTERVIEWS

The AOC shall 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 AOC will not reimburse Proposers for any costs incurred in traveling to or from the interview location. The AOC will notify eligible Proposers regarding interview arrangements.

- 10.0 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 AOC 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 AOC’s right to disclose information in the proposal, or (b) requiring the AOC 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.

11.0 DISABLED VETERAN BUSINESS ENTERPRISE PARTICIPATION GOALS

The AOC has waived the inclusion of DVBE participation in this solicitation.

12.0 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). Failure of a Proposer to comply with the protest procedures set forth in that chapter will render a protest

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inadequate and non-responsive, and will result in rejection of the protest. The deadline for the AOC to receive a solicitation specifications protest is the proposal due date. Protests should be sent to:

AOC – Business Services
Attn: Protest Hearing Officer
455 Golden Gate Avenue, Sixth Floor
San Francisco, CA 94102-3688

END OF RFP