

ADMINISTRATIVE OFFICE OF THE COURTS

QUESTIONS AND ANSWERS

Trial Court Workload Methodology RFP Number: EOP 090416-RB

May 12, 2009

1. In several places (e.g., page D-1) the RFP makes reference to CCMS as a factor in this study. Can the AOC clarify the following:
 - a. Does the AOC anticipate the sample of courts selected for this study will include both CCMS and non-CCMS courts?

Answer: Yes. Please refer to Attachment 2, Terms and Conditions, Exhibit D, Paragraph 2.2.
 - b. Might the sample include courts in which CCMS is used only for some case types but not others (e.g., criminal but not civil, or vice versa)?

Answer: Yes.
 - c. What assumptions should the proposer make about the state of CCMS deployment throughout California's courts over the life of the study?

Answer: Since the deployment schedule is subject to change, the consultant should assume that the courts that are on CCMS at the time of contract execution are the CCMS courts.
 - d. Can the AOC provide a list of superior courts that indicates which are using CCMS (and for which case types) and, for courts not yet on CCMS, the dates which they are projected to be on CCMS (and for which case types)?

Answer: We will provide that information to the consultant upon commencement of the contract.
 - e. Can the AOC provide an example of what it means in the RFP on p D-1 when it asks for a detailed evaluation of the impact of CCMS on case processing practices?

Answer: Data entry and other components of case management on CCMS may be more or less time-intensive than the time values used in the previous workload study. Although only a handful of courts are currently using CCMS for a subset of casetypes, the documentation of the workload impact of using CCMS will be invaluable for estimating workload as courts move onto the new case management system.
2. The RFP mentions on page D-2 that the study could "draw appropriate boundaries around" certain forms of case processing like collaborative courts or complex litigation courts. Does this mean that these specialized courts are or can be excluded from the study? If not, can the AOC provide an

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example of what the AOC's expectations are regarding possible inclusion "even partially" (page D-2) of these specialized courts?

Answer: No. Specialized courts need to be included in the study.

"Partial inclusion" of specialized courts might involve identifying key events or resources in that case type – e.g., review hearings in drug court, legal research assistance in complex litigation – and estimating the workload related to that key event or resource even if mapping of the complete workload involved in the processing of cases in specialized courts is not feasible.

3. The RFP indicates in several places that the contractor is required to ask courts about the availability of data (e.g., page D-4). Experience suggests that the exercise of asking courts generally results in overly positive responses that are often not matched by actual production of data. Will the AOC be available to actively assist with/facilitate the production of data by the trial courts for this study?

Answer: Yes; the AOC will assist in securing data from the courts.

4. Can the AOC please clarify whether the RFP is asking for a proposal to conduct just Phase I or to conduct both Phase I and II. In Section 5.1 of the RFP, the first sentence states that the work to be performed ends on November 30, 2010; this date coincides with the end of Phase I of the proposed project. Yet in Exhibit C, Section 2.a, Table 1 defines a timeline that ends November 30, 2011; this date coincides with the end of Phase II of the proposed project. Does this RFP (EOP 090416-RB) include work for both Phase I and Phase II, or is it only intended to cover Phase I?

Answer: The RFP is intended to cover both Phase I and Phase II; though, as stated in Section 6.5.2, Phase 2 work requires funding from the FY 2009-10 fiscal year and may not be funded until after July 1, 2009. Please refer to Addendum 1 of this RFP.

5. In the Scope of Services, Section 5.1, mention is made both of performance standards and performance measures. Here and elsewhere it is not clear whether the AOC requires the contractor to propose appropriate measures and a measurement methodology that is synchronized with the workload assessment, or whether the intent of the AOC is for the contractor to actually define and gather data necessary to calculate results for a set of performance measures from each court participating in the project. Please clarify.

Answer: The intent of the AOC is for the contractor to define and gather data necessary to calculate results for a set of performance measures from each court participating in the project.

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If actual data gathering and calculation of performance measure results is required, please indicate the timeframe for which data will be available for these measures, and which case types must be measured.

Answer: The time frame for which data will be available will depend on the courts that participate in the study and the capacity of their case management systems.

Re: which case types are to be measured, please see Attachment 2, Contract Terms, Exhibit D, Work To Be Performed, paragraph 2.4, Table 1: Deliverables 2 and 3. The consultant will be asked to evaluate whether full model revision is essential or if only certain case types should be evaluated, and the corresponding timing and possible phasing of the case type updates.

6. Regarding the sample of 8-10 courts that will participate in the study:

a. Has the AOC established what criteria will be used to select these courts?

Answer: The AOC expects to develop these criteria in consultation with the consultant and the oversight body.

b. Will all the participating courts have a proven capacity to provide the necessary data for this project? If not, is it the expectation of the AOC that the contractor will be required to manually collect case-level data required for both workload assessment and performance measurement?

Answer: Yes; see response to #3 above.

c. What role will the AOC play in recruiting the sample of courts? The RFP refers to the notion of inviting courts to participate (page D-3). Will the AOC be available to take an active role to secure the participation of well-qualified courts?

Answer: Yes; the AOC expects to play an active role in securing the participation of courts.

d. Does the AOC anticipate that all the participating courts will be included in the Working Group (Page D-3)?

Answer: The AOC anticipates some overlap between participating courts and those courts included in the Working Group, but is not seeking an exact match.

7. The RFP provides Due Dates for Tasks and Deliverables, and indicates that "All dates are subject to negotiation prior to execution of a contract." (Exhibit D, Section 2.4). Is it permissible for a

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proposer to propose different Due Dates for select Deliverables in their proposal being submitted, as long as the project remains within the established overall timeframe?

Answer: Yes; proposers may propose different dates for intermediate deliverables, but the work of the agreement cannot extend past November 30, 2011.

[END OF QUESTIONS AND ANSWERS]