



Request for Proposals for Title,
Escrow and Related Services

July 2011 through June 2014



ADMINISTRATIVE OFFICE
OF THE COURTS

OFFICE OF COURT CONSTRUCTION
AND MANAGEMENT



Judicial Council of California
ADMINISTRATIVE OFFICE OF THE COURTS

REQUEST FOR PROPOSALS

Date

April 22, 2011

To

Potential Service Providers

From

Administrative Office of the Courts (AOC),
Office of Court Construction and
Management (OCCM)

Subject

Request for Proposals for Title, Escrow and
Related Services

Action Requested

You are invited to review and respond to the
attached Request for Proposal (RFP) for
Title, Escrow and Related Services OCCM-
2011-09-CC

RFP Posted to:

<http://www.courts.ca.gov/rfps.htm>

Submittal Deadline

See RFP Schedule/p.3

Submittal of Proposals shall be made to:

Judicial Council of California,
Administrative Office of the Courts *at the
address in RFP section 5.11.*

For further information, please write to:

OCCM_Solicitations@jud.ca.gov

(RFP e-mail address)

RFP SCHEDULE		DATES (Calif. Time)
1.	RFP is Issued	Fri. 4/22/11
2.	Deadline for submitting requests to the AOC for additional information, clarifications, or RFP modifications. E-mail all questions, using the Form for Questions (Attachment F) posted along with this RFP, to the RFP e-mail address.	5:00 p.m. Fri. 5/6/11
3.	AOC will respond by posting answers to participants' requests for additional information, clarifications or RFP modifications, on the AOC website for this solicitation.	5:00 p.m. Fri. 5/13/11
4.	<u>Deadline to submit Proposal</u> See RFP Section 5.11 for submittal address and other details	5:00 p.m. Thu. 5/26/11
5.	AOC will determine a short list of qualified prospective Service Providers and post the list on the AOC website. If interviews are deemed necessary, short listed firms will be contacted to schedule a date and time for the interview.	5:00 p.m. Fri. 6/10/11
6.	If applicable, interviews of short listed firms will be completed (by phone or on-site, to be determined)	Parties to coordinate
7.	Notice of Intent to Award will be posted on the AOC website	Thu. 6/16/11
8.	Contracts signed	Thu. 6/30/11
9.	Contracts effective	Fri. 7/1/11

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Request for Proposal (RFP) Title, Escrow and Related Services

1. GENERAL INFORMATION

The Judicial Council of California (Council), chaired by the Chief Justice of California, is the chief policy making entity 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. The Office of Court Construction and Management (“OCCM”) is responsible for site acquisition, planning, design, construction, and real estate and asset management for the Superior and Appellate Court facilities in California.

The Trial Court Facilities Act (SB 1732) signed into law in 2002, shifted the management and operation of California’s Superior Court facilities from the 58 individual counties to the State of California (State), thereby giving the State responsibility for all of California’s Superior and Appellate Court facilities. Under SB 1732, the Council and AOC, on behalf of the State, have

statutorily prescribed duties to take title to and/or responsibility for existing Superior Court facilities located throughout the 58 counties. Transfers of responsibility for all 534 facilities were completed in December 2009. Of those, 92 title transfers are pending, approximately 15 of which are expected to occur during the next three (3) years.

In addition to transferring existing Superior Court facilities, the AOC is responsible for meeting the ongoing and future facility needs of both the Superior and Appellate Courts.

Senate Bill 1407 (Perata), enacted in 2008, funds and finances up to \$5 billion in trial court facility construction throughout the state. The Council subsequently adopted a list of 41 trial court capital projects to be funded by the Bill and implemented by OCCM. Approximately **30** of these projects include land acquisitions each of which will require at least two preliminary reports (for preferred and one or more backup sites), plus (for the property which is acquired) escrow services, and policies of title insurance, all during the next three (3) years.

2. PURPOSE OF THIS RFP

The AOC seeks to identify and retain one or more qualified title insurance or escrow companies (Service Provider[s]) to provide various title, escrow and related services required to evaluate and/or convey existing or prospective court properties to the State. This RFP is the means for prospective Service Providers to submit their qualifications and pricing proposals to the AOC for consideration. After evaluating proposals, the AOC may invite one or more qualified prospective Service Providers to enter into a standard agreement (Standard Agreement or Contract) with the AOC.

The contract term will be for up to three (3) years beginning on July 1, 2011.

3. GENERAL SCOPE OF SERVICES

During the contract term, the Service Provider is expected to provide title services, as more particularly described in **Attachment A (Scope of Services)**, on an as-needed basis for an undetermined number of existing court facilities and prospective court facility sites throughout the State of California. Title services may be ordered at any time during the contract term or not at all. The subject properties are located in various counties throughout the State, as listed in **Attachment A (Scope of Services)**.

4. 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 neither the AOC nor the State of California is in any way responsible for the cost of preparing any of the proposals.

5. RFP ADMINISTRATION

- 5.1. Prospective Service Providers are hereby advised that, by virtue of the act of providing a proposal to the AOC, they are agreeing to be subject to the AOC's **Administrative Rules Governing Requests for Proposals**, included in this RFP as **Attachment C**. Prospective Service Providers are advised to read and understand these rules before submitting a proposal.
- 5.2. The RFP process and RFP Schedule are subject to change at any time. Changes will be posted to the AOC website, and no other notifications of changes shall be transmitted. Prospective participants are urged to consult the website regularly to remain apprised of any and all changes. Staying abreast of changes in the RFP is the sole responsibility of the prospective Service Provider.
- 5.3. Throughout this solicitation process, if there is a need to communicate with the AOC regarding this RFP, such communication will be via e-mail to the RFP e-mail address.
- 5.4. With regard to the nature of the work being requested as well as this RFP itself, prospective Service Providers and their sub-contractors must not contact any AOC personnel directly. Violation of this restriction may disqualify a firm from consideration.
- 5.5. Questions regarding the content of this RFP must be submitted no later than the date and time for submission of Questions specified in the RFP Schedule. Please use the "Form for Questions" (**Attachment F**) as the vehicle for submitting your questions to the RFP e-mail address.
- 5.6. The AOC will post answers to the questions submitted, as well as any necessary clarifications and addenda to this RFP, on the AOC website in accordance with the date specified in the RFP Schedule.
- 5.7. Submission of Proposals. See Section 6 for details.
- 5.8. Following submission of proposals, no further questions regarding the RFP will be answered, with the exception of questions regarding the RFP process itself. Any question regarding the RFP process should be directed in writing to the following RFP e-mail address: OCCM_Solicitations@jud.ca.gov
- 5.9. Proposals are due on or before the date and time specified in the RFP Schedule or as the RFP Schedule is subsequently modified via any changes posted to the AOC website. It is the sole responsibility of the submitting Service Provider to ensure that the proposal reaches the AOC on or before the date and time specified. Proposals received after the deadline will be rejected without review. With the exception of proposals delivered by hand, the AOC provides no receipts nor makes any notification of its receipt or failure to receive any proposal.
- 5.10. All materials to be submitted may be sent by US mail, express mail, courier service of the prospective Service Provider's choice, or by hand delivery to the AOC. E-mail submissions will not be accepted.

5.11. Submissions must be sent or delivered to:

**Judicial Council of California
Administrative Office of the Courts
Attn: Ms. Nadine McFadden
455 Golden Gate Avenue, 7th Floor
San Francisco, CA 94102**

(Indicate RFP Number and Name of Your Firm at lower left corner of envelope)

*If a proposal is hand-delivered, it must be submitted to the AOC's **7th Floor reception desk** located at the above address. Prospective Service Providers are advised to obtain a handwritten receipt from the AOC receptionist when submitting.*

- 5.12. After submitted proposals have been reviewed for compliance with the requirements of this RFP, a list of qualified firms (Short List) will be established. See Section 7 for additional details about this.
- 5.13. The AOC will notify the short listed firms solely via publication of the short list to the AOC website; if the AOC deems it necessary, short listed firms will be contacted to schedule interview times and locations. These are typically conducted by conference call, however, the AOC may, at its option, require on site visits if necessary.
- 5.14. Following selection of the short list, the AOC's assigned project manager will work with each firm to finalize and execute its contract with the AOC.

6. PROPOSAL SUBMISSION

- 6.1. Submit your proposal to the address specified above (see section 5.11) on or before the date and time required as noted in the RFP Schedule. All materials to be submitted may be sent by US mail, express mail, courier service of the prospective Service Provider's choice, or by hand delivery to the AOC. E-mail submissions will not be accepted. Proposals received after the deadline will be rejected without review.
- 6.2. When submitting, include all of the following materials:
- a. Five (5) written copies of your proposal, in accordance with all of the requirements requested in **Attachment B, Format and Content of Proposal**.
 - b. Submit one (1) CD or flash drive with:
 - (1) The text of your entire proposal (all information requested in **Attachment B**) posted as a single PDF file on the disk or drive. Label the PDF file with the name of your organization and the words "**Complete Proposal - OCCM-2011-09-CC**."

- (2) The text of your **Price Proposal only** (as specified in **Attachment E**) posted as a single MS Word file on the same disk or drive referred to above. Label the MS Word file with the name of your organization and the words: “**Price Proposal for OCCM-2011-09-CC**”

Label the disk or flash drive itself with the name of your organization and the following RFP Number: “**OCCM-2011-09-CC**”

- c. Accompanying the above materials, submit one (1) written and signed Payee Data Record (**Attachment G**). On the Payee Data Record, indicate the exact legal name under which you propose to contract with the AOC. The Payee Data Record is **not** considered to be a part of your proposal, and should **not** be posted to the disk or flash drive you submit.
- d. PLEASE NOTE: DVBE documents (see **Attachment D**) are **not** to be submitted with your proposal. DVBE documents are to be submitted only after you receive notification that you are a selected Service Provider.

7. PROPOSAL EVALUATION PROCESS; DETERMINATION OF SHORT LIST

- 7.1 Responsive Proposals must contain all of the information required in RFP **Attachment B, Format and Content of Proposal**.
- 7.2 An evaluation team consisting of OCCM staff will evaluate the proposals.
- 7.3 The evaluation team will initially determine if the proposal conforms to the requirements of this RFP. Prospective Service Providers who submit proposals failing to meet RFP requirements will not be ranked as set forth in section 7.4, or short-listed.
- 7.4 The evaluation team will evaluate and rank the proposals according to the assigned weights indicated below. In the process of ranking the proposals, OCCM staff may contact client references included in the proposals, in order to verify past experience and performance of the prospective Service Provider, their key personnel, and their key sub-contractors, as appropriate.
- 7.5 Qualifications to be evaluated and ranked:

WEIGHT	QUALIFICATIONS TO BE EVALUATED
25%	Service Provider’s ability to meet the requirements outlined in Attachment A , as evidenced by Service Provider’s proposal responses.
10%	Prior breadth of experience, as evidenced by Service Provider’s proposal responses. (See Attachment B, Paragraph A.)
10%	Credentials of staff Service Provider proposes to assign to the AOC account

	as evidenced by evaluation of Service Provider's proposal, resumes submitted, and possibly discussions with client references provided. (See Attachment B , Paragraphs A & B)
20%	Reasonableness of price proposal including discounts from any published price lists that are offered. (See Attachment B , Paragraph C.)
25%	Turnaround times to complete orders for services (See Attachment B , Paragraph B.4); Quality assurance process (See Attachment B , Paragraph B.5); and Process for insuring responsiveness to AOC questions , including those that arise subsequent to issuance of preliminary reports and other evidence of title by Service Provider. (See Attachment B , Paragraph B.6.)
10%	Usefulness of Service Provider's website interface. (See Attachment B , Paragraph B.7.)

- 7.6. Based on this initial evaluation, a short list of qualified Service Providers will be established.
- 7.7. The AOC will post the short list on the AOC website with dates and times of interviews.
- 7.8. Following the interviews, if applicable, the evaluation team will re-evaluate proposal rankings, taking into consideration the results of interviews, and, using the assigned weights, will determine the highest ranking prospective Service Providers.
- 7.9. Successful service providers selected under this RFP will not be precluded from consideration nor given special status in any succeeding RFPs issued by the AOC for title, escrow and related services.

8. CONTRACT TERMS

The AOC intends to contract with the Service Provider using a master agreement that establishes the overall scope of services to be provided, the obligations of the parties, and the prices and fees to be charged. Each assignment will be authorized under the master agreement in a signed work authorization. Each such work authorization will include details about the nature of the particular assignment or assignments the service provider will perform for the AOC, the timeline(s) for the assignment(s), reporting guidelines, and other information, as well as a not-to-exceed price for the services authorized.

The standard agreement to be used is included as Attachment H to this RFP. The contract term will be for up to three (3) years beginning on July 1, 2011.

The AOC reserves the right to modify or update the standard agreement in whole or in part at any time up to the signing of the agreement.

9. DISABLED VETERAN BUSINESS ENTERPRISE PARTICIPATION GOALS

The State of California requires contract participation goals of a minimum of three percent (3%) for disabled veteran business enterprises (DVBE's). The AOC is subject to this participation goal. Upon selection of a Service Provider for the project assignment under this RFP, the AOC requires that the selected Service Provider demonstrate DVBE compliance and complete a DVBE Compliance Form. If it would be impossible for the selected Service Provider to comply, explanation of why and written evidence of a “good faith effort” to achieve participation must be provided (see **Attachment D** for details). Information about DVBE resources can be found on the Executive Branch’s internal website at <http://www.dgs.ca.gov/pd/Programs/OSDS.aspx> or by calling the Office of Small Business and DVBE Certification at 916-375-4940.