



REQUEST FOR PROPOSALS

ADMINISTRATIVE OFFICE OF THE COURTS (AOC)

REGARDING:

***Employee Assistance Program for the State of California's Judicial Branch
RFP #HR-2012-01-RB***

PROPOSALS DUE:

***November 29, 2012 no later than 1:00 p.m.
Pacific time***

1.0 INTRODUCTION

- 1.1 The purpose of this Request for Proposals (RFP) is to identify and retain a qualified service provider to deliver up to six face-to-face or telephonic mental health counseling sessions per incident to up to approximately 4,000 participants and members of their household. The membership will include California Judicial Branch's justices, judges, retired judges in the Assigned Judges Program, subordinate judicial officers and employees of the Supreme Court, Courts of Appeal, Administrative Office of the Courts ("AOC"), California Judicial Center Library, Habeas Corpus Resource Center ("HCRC"), and the Commission on Judicial Performance ("CJP") and respective members of their household. The service provider will also provide referral services and sessions as needed by the AOC's Human Resources Office ("HR") for workplace and productivity issues, life events, personal challenges, or other issues that an employee may not feel comfortable discussing with a supervisor or human resources representative.
- 1.2 Members have no financial responsibility in connection with services. However, fees for professional services provided by resources other than the contractor or counselors will be the responsibility of the member and/or his or her group health plan or other benefit programs, as applicable.
- 1.3 HR seeks the services of an entity with demonstrated expertise in linking members with relevant mental health professionals to guide them through emotional, health, and employee/employer workplace issues such as anger management, interpersonal communications, and effective working relationships. The provider should have a network of mental health professionals throughout the state of California to ensure support in each of the state's 58 counties. The provider must have demonstrated success in designing a methodology to deliver confidential, timely, and relevant mental health services to over 4,000 members.
- 1.4 The AOC intends to award a one-year agreement for the services set forth in this RFP with the possibility of four additional one-year option terms.

2.0 BACKGROUND INFORMATION

- 2.1 The Judicial Council of California ("JCC"), 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.
- 2.2 The AOC serves as the liaison to the employee assistance provider for several judicial branch entities including Supreme Court justices and employees, Courts of Appeal justices and employees, trial court subordinate judicial officers,

Habeas Corpus Resource Center employees, Commission on Judicial Performance employees, California Judicial Center Library employees, AOC employees, and retired judges in the Assigned Judge program and all dependents or spouses/domestic partners.

3.0 DESCRIPTION OF SERVICES AND DELIVERABLES

The selected contractor will be required to provide the following services/perform the following activities listed below:

3.1 Mental Health Professionals Network

- 3.1.1 Maintain a toll-free telephone access line 24 hours per day, 365 days per year, for members to access mental health professional services. Intake specialists must be available through the telephone access line to assess a member's problem and arrange for appropriate counselor services. In addition, the intake specialist must provide crisis counseling.
- 3.1.2 Members are to be referred to relevant and geographically desirable mental health professionals.
- 3.1.3 In-person sessions are to be made available by appointment on weekdays, evenings, and Saturdays at the offices of the contractor's counselors statewide. A counselor must be available to provide an in-person session within seven (7) days of the request for service in connection with routine matters and within forty-eight (48) hours for urgent matters. The intake specialist must assess the member's problems and, in accordance with the intake specialist's best judgment, provide brief counseling and/or refer the member to an appropriate treatment provider and/or community resource. Each member is eligible for up to six (6) in-person sessions per problem per year, as clinically appropriate. If the intake specialist determines that a member requires services beyond the scope of the program including medical care or other specialized services, the intake specialist will refer the member to an appropriate treatment provider and/or community resources.
- 3.1.4 Provide intake specialists familiar with identifying geographically feasible and befitting mental health professionals for member needs.
- 3.1.5 Provide a qualified and diverse mental health professional pool in each of California's 58 counties, including mental health professionals who have experience working with and handling the issues of law enforcement/ professional employees and public officials.
- 3.1.6 Provide services such as problem-focused form of individual or family outpatient counseling that (a) seeks resolution of problems in living (e.g., parenting concerns, emotional stress, marital and family distress, alcohol- and drug-related problems) rather than basic character change;

(b) emphasizes counselee skills, strengths and resources; (c) involves setting and maintaining realistic goals that are achievable in a one to five month period; (d) encourages counselees to practice behavior outside the counseling session to promote therapeutic goals; and (e) in which the counselor provides structure, interprets behavior, offers suggestions, and assigns "homework" activities.

- 3.1.7 Provide mental health professionals with the following licenses: marriage and family therapist (MFT), licensed professional counselors (LPC), licensed clinical social workers (LCSW), attorneys (JD), and psychologists (PhD).
- 3.1.8 Provide in-person, web-based, or telephonic mental health professional sessions for employees.
- 3.1.9 Throughout the State of California, at least one counselor must be available to provide in-person sessions as follows: urban and suburban areas: within a 5-mile radius, at least 95% of the time, of a member's home or work location; and rural areas: within a 25-mile radius, at least 95% of the time, of a member's home or work location. All counselors must have (1) training and experience in assessing substance abuse problems and in conducting focused, problem-resolution counseling and (2) at least a master's level degree in the appropriate field or such other training and practical experience in behavioral health treatment settings that qualify them to provide the applicable Services.
- 3.1.10 Access to clinical EAP services through self-referral, supervisor referral, and human resources referral.
- 3.1.11 Review mental health professionals' qualifications and allow the AOC to retain the right of selecting the assigned mental health professionals. The provider will conduct mental health professional audits a minimum of twice yearly to determine current licensure, active network membership, client satisfaction, and to ensure that appointments are being made within one week of the employee or employer's call.
- 3.1.12 Upon request of the AOC Human Resources Services Office, the contractor will provide consultation to any manager or supervisor considering the referral of an Employee to the program and will assist the manager or supervisor in the "supportive confrontation" process as needed. In the case of a supervisor-referred employee, the contractor will remain in regular contact with the referring supervisor regarding work performance issues. The contractor will also provide consultation regarding management of high-risk situations in which an employee's personal problems may create a threat of violence in the workplace. As appropriate and to the extent authorized by an employee or as otherwise permitted by law, the contractor will provide consultation on the process required to facilitate an employee's return to work.

3.2 Program Management

- 3.2.1 Provide a dedicated program manager with experience regarding the administration, monitoring, and maintenance of an employer-provided mental health professional network.
- 3.2.2 Provide ongoing oversight of the network to ensure that services are provided in a timely and relevant matter. Member calls should be answered at all times and members should receive an initial counseling session within one week of placing a call to the provider.
- 3.2.3 Provide informational/promotional materials so that AOC can continually inform members of services and contact information via electronic means, e.g. flyers, brochures, Intranet postings, etc.

3.3 Record Keeping and Utilization

- 3.3.1 The contractor will maintain records for each member who contacts the contractor for Services.
- 3.3.2 Monitor the utilization of the mental health professional network and make recommendations to improve utilization.
- 3.3.3 Provide quarterly utilization reports using aggregate data and including entity type: Judge, Justice, Subordinate Judicial Officer, and Retired Judge in Assigned Judge program, Habeas Corpus Resource Center employee, Supreme Court employee, Courts of Appeal employee, California Judicial Center Library employee, spouse/entity type, and dependent/entity type and call type: marriage/family, substance abuse, job related, stress, illness, etc.
- 3.3.4 The utilization reports shall not include member identifiable information. Age and gender data may be included if available.

3.4 Transition Services. Provide a transition plan for services that are in progress at the time of change-over from the existing employee assistance provider to the new service provider

3.5 Critical Need Consultation. Respond to and consult in connection with a sudden, unanticipated, traumatic incident or circumstance occurring at the workplace (e.g., accident, death, threat of violence, natural disaster) that produces a high degree of distress in the affected workplace of the State or an immediate or delayed emotional reaction in employees, that surpasses normal coping mechanisms.

4.0 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.

Table 1:

EVENT	DATE
RFP issued	October 26, 2012
Deadline for questions to solicitations@jud.ca.gov	November 1, 2012
Questions and answers posted	November 8, 2012
Latest date and time proposal may be submitted	November 29, 2012, 1:00 p.m. Pacific Time
Evaluation of proposals (<i>estimate only</i>)	December 3 – December 5, 2012
Oral Presentations	December 10, 2012
Notice of Intent to Award (<i>estimate only</i>)	December 14, 2012
Negotiations and execution of contract (<i>estimate only</i>)	December 17 - 21, 2012
Notice of Award (<i>estimate only</i>)	December 26, 2012
Contract start date (<i>estimate only</i>)	January 1, 2013
Contract end date (<i>estimate only</i>)	December 31, 2013

5.0 RFP ATTACHMENTS

The following attachments are included as part of this RFP:

Table 2:

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 the AOC Standard Agreement Terms and Conditions in substantially the form provided.

Table 2:

ATTACHMENT	DESCRIPTION
Attachment 3: Proposer’s Acceptance of Terms and Conditions	<p>On this form, if exceptions are identified, proposers must submit (i) a red-lined version of Attachment 2 – Standard Agreement Terms and Conditions that clearly track proposed changes to this attachment, (ii) written documentation to substantiate each such proposed change and (iii) written explanation to indicate how each proposed change will benefit the AOC.</p> <p>Note: A material exception to a Minimum Term may render a proposal non-responsive.</p>
Attachment 4: Payee Data Record Form	This form contains information the AOC requires in order to process payments.
Attachment 5: Darfur Contracting Act Certification	Proposer must complete the Darfur Contracting Act Certification and submit the completed certification with its proposal.
Attachment 6: Conflict of Interest Certification Form	Proposer must complete Conflict of Interest Certification and submit the completed certification with its proposal.
Attachment 7: Questions for Proposers	Proposers must provide an answer to each question. Answers must be numbered to correspond with the question number.
Attachment 8: Rate Proposal Form	Proposers must use this form to provide their rate per covered employee per month and submit the completed form with its cost proposal.
Attachment 9: List of Covered Employees as of August 31, 2012	This list provides the quantity of covered employees in each Judicial Branch as of August 31, 2012.

6.0 SUBMISSIONS OF PROPOSALS

- 6.1 Proposals should provide straightforward, concise information that satisfies the requirements of Section 7 (“Proposal Contents”). Expensive bindings, color displays, and the like are not necessary or desired. Emphasis should be placed on conformity to the RFP’s instructions and requirements, and completeness and clarity of content.
- 6.2 The proposer must submit its proposal in two parts, the technical proposal and the cost proposal.

- 6.2.1 The proposer must submit one (1) original and three (3) copies of the technical proposal. The original must be signed by an authorized representative of the proposer. The proposer must write the RFP title and number on the outside of the sealed envelope.
- 6.2.2 The proposer must submit one (1) original and three (3) copies of the cost proposal. The original must be signed by an authorized representative of the proposer. The original cost proposal (and the copies thereof) must be submitted to the AOC in a single sealed envelope, separate from the technical proposal. The proposer must write the RFP title and number on the outside of the sealed envelope.
- 6.2.3 The Proposer must submit an electronic version of the entire proposal on CD-ROM. The files contained on the CD-ROM should be in PDF, Word, or Excel formats.
- 6.3 Proposals must be delivered by the date and time listed on the coversheet of this RFP to:

Administrative Office of the Courts
Attn: Nadine McFadden, RFP #HR-2012-01-RB
455 Golden Gate Avenue
San Francisco, CA 94102
- 6.4 Late proposals will not be accepted.
- 6.5 Only written proposals will be accepted. Proposals must be sent by registered or certified mail, courier service (e.g. FedEx), or delivered by hand. Proposals may not be transmitted by fax or email.

7.0 PROPOSAL CONTENTS

- 7.1 Technical Proposal. The following information must be included in the technical proposal. A proposal lacking any of the following information may be deemed non-responsive.
 - 7.1.1 Proposer's name, address, telephone and fax numbers, and federal tax identification number. Note that if Proposer is a sole proprietor using his or her social security number, the social security number will be required before finalizing a contract.
 - 7.1.2 Name, title, address, telephone number, and email address of the individual who will act as Proposer's designated representative for purposes of this RFP.
 - 7.1.3 For each key staff member: a resume describing the individual's background and experience, as well as the individual's ability and experience in conducting the proposed activities.

- 7.1.4 Names, addresses, and telephone numbers of a minimum of four (4) clients for whom the proposer has conducted similar services. The AOC may check references listed by proposer.
 - 7.1.5 Proposed method to complete the work.
 - 7.1.6 Attachment 7, Questions for Proposers, with Proposer's response to each question.
 - 7.1.7 A detailed document describing Proposers standard service practices.
- 7.2 Acceptance of the Terms and Conditions.
- 7.2.1 On Attachment 3, the Proposer must either indicate 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.
 - 7.2.2 If exceptions are identified, the Proposer must also submit a red-lined version of the Terms and Conditions that clearly tracks proposed changes, and a written explanation or rationale for each exception and/or proposed change.
- 7.3 Certifications, Attachments, and other requirements. Proposer must include the following certification in its proposal:
- 7.3.1 Using Attachment 6, Proposer certifies it has no interest that would constitute a conflict of interest under California Public Contract Code sections 10365.5, 10410 or 10411; Government Code sections 1090 et seq. or 87100 et seq.; or rule 10.103 or rule 10.104 of the California Rules of Court, which restrict employees and former employees from contracting with judicial branch entities.
 - 7.3.2 Proposer must complete the Darfur Contracting Act Certification attached as Attachment 5 and submit the completed certification with its proposal.
 - 7.3.3 Proposer must include in its proposal a completed and signed Payee Data Record Form (see Attachment 4), or provide a copy of a form previously submitted to the AOC.
 - 7.3.4 If Proposer is a corporation and the contract will be performed within California, proof that Proposer is in good standing and qualified to conduct business in California. AOC may verify by checking with California's Office of the Secretary of State.
 - 7.3.5 Copies of current business licenses, professional certifications, or other

credentials.

7.3.6 Proof of financial solvency or stability (e.g., balance sheets and income statements).

7.4 Cost Proposal. The following information must be included in the cost proposal.

7.4.1 A detailed line item budget showing total cost of the proposed services.

7.4.2 A full explanation of all budget line items in a narrative entitled “Budget Justification.”

7.4.3 A “not to exceed” total for all work and expenses payable under the contract, if awarded.

7.4.4 A completed Attachment 8, Rate Proposal Form

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 Section 17030 of the Business and Professions Code.

8.0 OFFER PERIOD

A Proposer's proposal is an irrevocable offer for ninety (90) days following the proposal due date. In the event a final contract has not been awarded within this ninety (90) day period, the AOC reserves the right to negotiate extensions to this period.

9.0 EVALUATION OF PROPOSALS

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

The AOC will evaluate the proposals on a 100 point scale using the criteria set forth in the table below. The award, if made, will be to the highest scored proposal.

Table 3:

CRITERION	MAXIMUM NUMBER OF POINTS
1. Demonstrated Experience and Qualifications (see RFP Sections 7.1, 7.3, and Attachment 7, Questions 8 and 16)	
2. Demonstrated experience and success in providing mental health services to a diverse, statewide membership base. (see RFP Section 3.1 and Attachment 7 Question 9)	30
3. Demonstrated experience in overseeing and monitoring a mental health professional network. (see RFP Section 3.1 and	

<p>Attachment 7 Questions 15 and 17)</p> <p>4. The qualifications of the proposed dedicated program manager. (see RFP Section 3.2)</p> <p>5. The credentials and qualifications of mental health professionals and phone intake specialists. (see RFP Section 3.2 and Attachment 7 Questions 13 and 14)</p> <p>6. Ability to provide mental health services within California’s 58 counties. (see RFP Section 3.1.5 and Attachment 7 Question 1)</p> <p>7. Ability to provide in-person, Web-based, and telephonic mental health professional sessions for member within California’s 58 counties. (see RFP Section 3.1.8 and Attachment 7 Question 6)</p> <p>8. Ability to provide Critical Need consultation. (See RFP Section 3.5.)</p>	
<p>9. Proposed method to managing statewide mental health professional services for a diverse membership base (see RFP Sections 3.2, 3.3, 3.4, and 3.5 and Attachment 7 Questions 2, 3, 4, 5, 15, 18, 19, 20, 21, 23, 24, 25, 26, 27, and 28)</p> <p>10. Demonstrated ability to measure program effectiveness by conducting utilization metrics and providing analysis. (See RFP Section 3.3.2 and Attachment 7, Question 12)</p> <p>11. Proposed method to transition services from the current provider for services that are currently in place for members. (see RFP Section 3.4 and Attachment 7, Question 7)</p> <p>12. Proposer’s standard service practices (see RFP Section 7.1.7.)</p>	30
<p>Cost Reasonableness (See RFP Section 7.4, and Attachment 7, Question 10, and Attachment 8)</p>	30
<p>Acceptance to Terms and Conditions (see RFP Section 7.2)</p>	10
<p>Maximum Score</p>	<p>100</p>

10.0 INTERVIEWS

The AOC may conduct interviews with proposers to clarify aspects set forth in their proposals or to assist in finalizing the ranking of top-ranked proposals. The interviews may be conducted in person or by phone. If conducted in person, interviews will likely be held at the AOC’s offices in San Francisco. The AOC will not reimburse proposers for any costs it may incur to attend an interview, including any travel expenses to or from the interview location. The AOC will notify eligible proposers regarding interview arrangements.

11.0 CONFIDENTIAL OR PROPRIETARY INFORMATION

- 11.1 One copy of each proposal will be retained by the AOC for official files and will become a public record. California judicial branch entities are subject to

rule 10.500 of the California Rule of Court, which governs public access to judicial administrative records (see www.courtinfo.ca.gov/cms/rules/index.cfm?title=ten&linkid=rule10_500).

- 11.2 If information submitted in a proposal contains material noted or marked as confidential and/or proprietary that, in the AOC's sole opinion, meets the disclosure exemption requirements of Rule 10.500, then that information will not be disclosed upon a request for access to such records. If the AOC finds or reasonably believes that the material so marked is not exempt from disclosure, the AOC will disclose the information regardless of the marking or notation seeking confidential treatment.
- 11.3 Notwithstanding the above, the California Public Contract Code requires the public inspection of certain proposals. If required to do so by the Public Contract Code, the AOC may disclose all information contained in a proposal, including information marked as confidential or proprietary.

12.0 DISABLED VETERAN BUSINESS ENTERPRISE PARTICIPATION GOALS

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

13.0 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 inadequate and non-responsive, and will result in rejection of the protest. The deadline for the AOC to receive a solicitation specifications protest is RFP Due Date and Time set forth in Table 1 of Section 4. Protests should be sent to:

AOC – Business Services
ATTN: Protest Hearing Officer
455 Golden Gate Avenue
San Francisco, CA 94102