

ATTACHMENT 1
PROPOSAL

INSTRUCTIONS:

1. The Proposal contains eight parts. Complete all eight parts.
2. Complete areas shaded in yellow, as applicable.
3. Do not modify any text that is not shaded in yellow.
4. Where check boxes (□) are shown, check or select only the applicable box(es).
5. Complete the validation and sign at the end of Part 8.
6. If additional space is required, attach additional sheets.

PART 1: BASIC INFORMATION

I. Information about Proposer

Provide the following information about the Proposer.

Name	
Address	
Telephone number	
Fax number	
Federal tax identification number*	

*Note that if Proposer is an individual using his or her social security number, the social security number will be required before finalizing a contract.

II. Proposer's entity type

Proposer is (check one):

corporation general partnership limited partnership
 LLC LLP individual
 other (specify)

III. Proposer's designated representative

Provide the following information about the individual who will act as Proposer's designated representative for purposes of this RFP.

Name	
Title	
Address	
Telephone number	
Email address	

IV. References

Provide the following information for three (3) references. References may be clients, court staff, judicial officers, attorneys who are familiar with Proposer's

dependency representation (including opposing counsel), or system partners such as county Health and Human Services Agency staff. The Court may check references listed by Proposer.

Reference #1

Name	
Title	
Address	
Telephone number	

Reference #2

Name	
Title	
Address	
Telephone number	

Reference #3

Name	
Title	
Address	
Telephone number	

V. Project Manager

Provide the following information for the person who will act as Proposer's project manager, if Proposer is awarded the contract.

Name	
Title	
Telephone number	
Email address	

PART 2: EMPLOYEE INFORMATION

For each employee (or other individual) who will provide services if Proposer is awarded the contract, (i) provide a summary of that person's job history and (ii) describe that person's ability and experience in conducting the proposed activities. If more than four persons will provide services, attach additional sheets as necessary.

Alternatively, attach a resume for each such person.

Information or resumes for attorneys must demonstrate training and experience necessary to comply with San Benito Superior Court Local Rules, Rules 13.3 through 13.5.

Employee #1

Name	
Job history	
Ability and experience to provide services	

Employee #2

Name	
Job history	
Ability and experience to provide services	

Employee #3

Name	
Job history	
Ability and experience to provide services	

Employee #4

Name	
Job history	
Ability and experience to provide services	

PART 3: WORK PLANS

Provide the requested information in the space below, or on attached sheets.

1. An **organization and staffing plan** describing Proposer's proposed organizational structure, including the following:

- Number and FTE status of attorneys who will provide services.
- Number, classification, and FTE status of non-attorney staff members who will provide services (if applicable).
- Proposed number of clients per attorney (counting each child as a client, irrespective of sibling group affiliation).

A large yellow rectangular area representing a redacted section of the document, likely where the organization and staffing plan would be provided.

2. A courtroom coverage and calendar management plan that includes each of the following elements:

- A description of how Proposer will avoid calendaring conflicts with its other cases.
- A description of how substitute counsel will be provided when an attorney is unavailable due to vacation, illness, or other absence.

Notes: (i) if Proposer is or will assign a single attorney to provide services, this plan must include a list of proposed substitute counsel, and (ii) any substitute counsel (a) must meet the competency and education requirements specified in rule of court, (b) are subject to the prior approval of the Court, and (c) must be prepared to address substantive case issues in order to avoid court delay.

3. A **supervision plan** that describes how Proposer will supervise work and work products to ensure the quality and adequacy of dependency representation, for both attorney and non-attorney staff. A supervision plan is not required if Proposer is an individual and has no staff.

4. A **conflict of interest plan** that describes how Proposer will identify and handle conflict situations. The plan must describe how all potential levels of conflicts will be addressed. The plan must describe how secondary conflicts will be identified and avoided, including conflicts that may arise due to Proposer's representation of parties in non-dependency matters, if applicable.

5. A **facilities plan** that identifies the proposed locations of office and client interview facilities. If the proposed office location is outside of San Benito County, proposer must, at a minimum, provide a client interview location in San Benito County that is accessible to clients Monday through Friday, and must provide local telephone and fax numbers for client contact. The selected proposer may not use the court facilities as office space or as an interview location.

6. A **reporting plan** that describes how Proposer will maintain case and statistical information required for reporting purposes. See Appendix A, section 1.5 and Appendix F of the Contract (Attachment 3 of the RFP) for descriptions of required reports.

PART 4: PROPOSER'S ACCEPTANCE OF CONTRACT

As noted in Section 9.0 of the RFP, the Court will evaluate proposals on a 100-point scale. 15 of the 100 possible points will be assigned on the basis of "Acceptance of the terms and conditions in the Contract." Proposer will receive the full 15 points if it accepts the Contract (Attachment 3 of the RFP) without exception, and agrees to sign the Contract without modification in the event it is awarded the contract. If Proposer proposes material exceptions to the Contract, it will receive fewer than 15 points.

An "exception" includes any addition, deletion, or other modification.

Although the Court will consider alternate language, the Court will not be bound by contract language received as part of a proposal. If the Proposer requires that the Court be bound by some or all of the proposed contract language, the proposal may be considered non-responsive and may be rejected.

Proposer's designation on this form is a material factor in the Court's evaluation of its proposal. The Court may void an award if (i) Proposer accepts the Contract without exception and subsequently requests exceptions or changes prior to execution, or (ii) Proposer proposes certain exceptions or changes as part of its proposal and subsequently requests additional exceptions or changes prior to execution.

The Court may reject a proposal if Proposer proposes exceptions or changes to the Contract, but fails to submit (i) a redlined version of the Contract (in Microsoft Word format or printed) that shows and implements all proposed exceptions and changes, and (ii) a written explanation or rationale for each exception or proposed change.

Instructions: Mark the appropriate choice.

1. Proposer accepts the Contract without exception. **Proposer agrees to sign the Contract without modification in the event it is awarded the contract.** (If this choice is marked, there is no need for Proposer to submit a copy of the Contract with its proposal.)

OR

2. Proposer proposes exceptions or changes to the Contract. Proposer **must** also submit (i) a redlined version of the Contract (in Microsoft Word format or printed) that shows and implements all proposed exceptions and changes, and (ii) a written explanation or rationale for each exception or proposed change.

PART 5: GENERAL CERTIFICATIONS

Check the box below, if agreed. Please note that the Court will reject a proposal from a Proposer that does not indicate acceptance of these clauses.

Conflict of Interest. Proposer has no interest that would constitute a conflict of interest under California Public Contract Code (“PCC”) sections 10365.5, 10410 or 10411; Government Code sections 1090 et seq. or 87100 et seq.; or California Rules of Court, rule 10.103 or 10.104, which restrict employees and former employees from contracting with judicial branch entities.

Suspension or Debarment. Proposer certifies that neither Proposer nor any of Proposer's intended subcontractors is on the California Department of General Services' list of firms and persons that have been suspended or debarred from contracting with the state because of a violation of PCC 10115.10, regarding disabled veteran business enterprises.

Tax Delinquency. Proposer certifies that it is not on either (i) the California Franchise Tax Board's list of 500 largest state income tax delinquencies, or (ii) the California Board of Equalization's list of 500 largest delinquent sales and use tax accounts.

Unruh Civil Rights Act and California Fair Employment and Housing Act. Proposer certifies under penalty of perjury that (i) it is in compliance with the Unruh Civil Rights Act (Section 51 of the Civil Code); (ii) it is in compliance with the California Fair Employment and Housing Act (Chapter 7 (commencing with Section 12960) of Part 2.8 of Division 3 of the Title 2 of the Government Code); and (iii) it does not have any policy against any sovereign nation or peoples recognized by the government of the United States, including, but not limited to, the nation and people of Israel, that is used to discriminate in violation of the Unruh Civil Rights Act or the California Fair Employment and Housing Act.

Check box to indicate acceptance of the clauses above.

PART 6: DARFUR CONTRACTING ACT CERTIFICATION

Section 1

Does Proposer currently have, or did Proposer in the previous three years have, business activities or other operations outside of the United States? Check only one box:

- Yes
- No

If you checked “No,” you are finished with this Part 6. Go to Part 7.

If you checked “Yes,” continue to Section 2 below.

Section 2

The term “scrutinized company” is defined in PCC 10476, part of the Darfur Contracting Act of 2008. Check only one box:

- 1. Proposer certifies that it is not a scrutinized company.

OR

- 2. Proposer is a “scrutinized company,” but it has received written permission from the Court to submit a proposal pursuant to PCC 10477(b). A copy of the written permission from the Court is included with the proposal.

OR

- 3. Proposer is a “scrutinized company,” and it has not received written permission from the Court to submit a proposal pursuant to PCC 10477(b).

PART 7: BUDGET TEMPLATE

Please complete this budget template with Proposer's estimated expenses for **Year 1** (July 1, 2023 – June 30, 2024), assuming that Proposer is awarded the contract.

A. Personnel costs

Position Title ¹	Annual Salary	Annual Cost of Benefits	% of Time to be Spent on work covered by the RFP	Total Cost for Year 1
Executive Director				
Attorney				
Paralegal				
Investigator				
Secretary				
TOTAL COST OF SALARIES AND BENEFITS FOR YEAR 1				\$

B. Costs of additional services

Type of Service	Annual Number of Hours	Hourly rate	Total Cost for Year 1
Contractual Attorney Services			
Contractual Non-Attorney Services (e.g. paralegal or secretarial)			
Out-of-Court Interpreters			
Other (please specify)			
Other (please specify)			
TOTAL COST OF ADDITIONAL SERVICES FOR YEAR 1			\$

¹ The position titles listed here, and the number of positions included, are for illustration purposes only. Please modify position titles as appropriate, and list additional positions on blank lines provided.

C. Operating expenses

Item	Attributable Cost for Year 1
Rent	
Telecommunications (e.g. telephone and Internet)	
Training	
Travel expenses that Proposer will reimburse its employees	
Commercial General Liability Insurance	
Automobile Liability Insurance	
Professional Liability Insurance	
Workers Compensation / Employers' Liability Insurance	
Other (please specify)	
Other (please specify)	
TOTAL OPERATING EXPENSES FOR YEAR 1	\$

D. GRAND TOTAL

Please copy amounts from sections A-C above.

TOTAL COST OF SALARIES AND BENEFITS FOR YEAR 1	\$
TOTAL COST OF ADDITIONAL SERVICES FOR YEAR 1	\$
TOTAL OPERATING EXPENSES FOR YEAR 1	\$
GRAND TOTAL	\$

PART 8: COST PROPOSAL AND VALIDATION

The term “Services” refers to all services described in the Contract (Attachment 3 of the RFP).

<u>SERVICES</u>	<u>COST PROPOSED</u>
Services for Year 1: July 1, 2023 through June 30, 2024	\$
Services for Year 2: July 1, 2024 through June 30, 2025	\$
Services for Year 3: July 1, 2025 through June 30, 2026	\$

VALIDATION

PROPOSER MUST COMPLETE THE FOLLOWING TO VALIDATE PROPOSAL

Proposer hereby agrees to furnish the goods and services described in the Contract at the price quoted above, subject to the instructions and conditions in the RFP and the Contract. I, the undersigned, attest that I am authorized to submit this proposal on behalf of Proposer, and that the contents of this proposal are truthful and accurate.

Company Name (Printed)	Federal ID Number
By (Authorized Signature)	
Printed Name and Title of Person Signing	
Date Executed	Executed in the County of _____ in the State of _____