

REQUEST FOR PROPOSALS

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN BENITO

REGARDING:

Juvenile Dependency Representation
RFP# JDR2023

PROPOSALS DUE:

MARCH 27, 2023 NO LATER THAN 3:00 P.M. PACIFIC TIME

1.0 BACKGROUND INFORMATION

- 1.1 The Superior Court of California, San Benito County (the “Court”) is dedicated to maintaining and improving the quality of justice and services to meet the diverse needs of children, youth, families, and self-represented litigants in the California courts.
- 1.2 The San Benito County Juvenile Dependency Court (“Dependency Court”) is the division of the Court that has responsibility for hearing cases involving children who have been abused or neglected. The legal actions heard by the Dependency Court are described in Welfare and Institutions Code sections 300 et seq.
- 1.3 The mission of the Dependency Court is to protect children, preserve families, and provide permanency for children while treating all with dignity and respecting diversity.
- 1.4 Legal services provided to children and parents will take into consideration issues of diversity, including race, ethnicity, sex, age, sexual orientation, religion, and culture.

2.0 DESCRIPTION OF SERVICES AND DELIVERABLES

The Court seeks to identify and retain a qualified individual or firm to provide high-quality, cost-effective legal representation in juvenile dependency proceedings. The services to be provided are described in Appendix A of Attachment 3: Court Contract (the “Contract”).

The selected proposer will provide services for an initial term of three years from **July 1, 2023 to June 30, 2026** with **two (2) one-year renewal terms solely at the Court’s option**.

The selected proposer must provide its own office space within the city limits of Hollister, California for the purpose of meeting and/or interviewing clients. The office space shall be available Monday through Friday by appointment, except for holidays. Contractor will maintain a local 831 phone and fax number.

Juvenile dependency cases are currently heard on Thursday mornings at 10 a.m. In addition, detention hearings are scheduled daily, as necessary. This schedule is subject to change. The Court hears juvenile dependency cases at the courthouse located at 450 Fourth Street in Hollister.

The services include representation for all children requiring court-appointed counsel at all phases of dependency proceedings in the Court, including (i) detention hearings, (ii) all subsequent proceedings before the Court, (iii) termination proceedings, and (iv) proceedings related to the institution or setting aside of a legal guardianship. The services also include representation for parents when a conflict prevents representation of a child in a specific case.

The Court’s current active caseload for juvenile dependency is 37 cases, with 48 juveniles. In the past four years, there have been between 11 and 34 new juvenile dependency cases

filed each year. A proposal should take into account both this range and the possibility that the number of juvenile dependency cases filed in the future could be significantly higher.

As part of the services, the selected proposer will be required to file numerous reports with the Court. See Appendix A, section 1.5 and Appendix F of the Contract for more information.

The selected proposer will need to have commercial general liability insurance, professional liability insurance, automobile liability insurance, and workers compensation/employer's liability insurance (if applicable). See Appendix C, section 2 of the Contract for more information, including minimum policy values.

3.0 TIMELINE FOR THIS RFP

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

EVENT	DATE
Latest date and time questions regarding the RFP may be submitted (see Attachment 2 sections 1 and 2)	March 8, 2023, 5:00 p.m. (Pacific Time)
Questions and answers posted	March 15, 2023, 5:00 p.m. (Pacific Time)
Latest date and time proposal may be submitted	March 27, 2023, 3:00 p.m. (Pacific Time)
Anticipated interview dates (<i>estimate only</i>)	April 3 - 7, 2023
Notice of Intent to Award (<i>estimate only</i>)	April 10, 2023
Finalize and execute contract (<i>estimate only</i>)	April 13 - 14, 2023
Contract start date	July 1, 2023
Contract end date (initial term)	June 30, 2026

4.0 RFP ATTACHMENTS

The following attachments are included as part of this RFP:

ATTACHMENT	DESCRIPTION
Attachment 1: Proposal	The person or entity submitting a proposal (the “Proposer”) must complete and submit this form.
Attachment 2: Administrative Rules Governing RFPs (Non-IT Services)	These rules govern this solicitation.
Attachment 3: Contract	If selected, the Proposer must sign this Contract.
Attachment 4: DVBE Forms	Optional. Completion of these two forms is required only if the Proposer wishes to claim the disabled veteran business enterprise (“DVBE”) incentive. See section 12.0 below.

5.0 PAYMENT INFORMATION

The Court will pay a flat rate for all work performed pursuant to the Contract. Proposers must submit a cost proposal with the flat rate amounts for each of the three years in the initial term. If the Court exercises the first renewal term (for July 1, 2026 – June 30, 2027), the flat rate for the first renewal term shall remain at the amount for the period July 1, 2025 – June 30, 2026. If the Court exercises the second renewal term (for July 1, 2027 – June 30, 2028), the flat rate for the second renewal term shall be agreed by the parties in an amendment to the Contract.

The Court will also reimburse certain expenses, as detailed in the Contract, up to a specified maximum amount. The Proposer shall not request nor shall the Court consider any reimbursement for non-production work including but not limited to time spent traveling to and from the courthouse, nor will the Court pay for any overtime work.

See Appendix B of the Contract for more information about payment.

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.

6.0 COMPLETION OF PROPOSALS

- 6.1 Proposer must use the form in Attachment 1 for its proposal. The proposal must be fully completed and signed. The signature must be from an authorized representative of the Proposer.
- 6.2 A proposal may be deemed non-responsive and rejected if it is lacking any required information or signature.

7.0 SUBMISSIONS OF PROPOSALS

- 7.1 The Proposer must submit a scanned copy of its completed and signed proposal to the Court **via email**.

If Proposer wishes to claim the DVBE incentive, it must include a scanned copy of its completed and signed DVBE forms (and any materials required

therein) in this same email. If Proposer does not wish to claim the DVBE incentive, it does not need to complete or return the DVBE forms.

7.2 A scanned copy of the completed and signed proposal must be received by the Court by the date and time listed on the coversheet of this RFP.

Proposers must send the scanned copy of their completed and signed proposal to admin@sanbenito.courts.ca.gov. Proposals sent to any other email address may not be considered.

Proposers must include the words “**RFP Number JDR2023**” in the subject line of the email with the scanned copy of their completed and signed proposal.

7.3 Late proposals will not be accepted. The Court is not responsible for delays in delivery, or for technical problems associated with email systems. Proposers are encouraged to call the Court to confirm receipt of the email before the date and time listed on the coversheet of this RFP.

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 period, the Court reserves the right to negotiate extensions to this period.

9.0 EVALUATION OF PROPOSALS

Each proposal will be checked for completeness. If a proposal is missing any of the required proposal contents, the Court may reject the proposal.

The Court 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.

If a contract will be awarded, the Court will post an intent to award notice at www.sanbenito.courts.ca.gov.

CRITERION	MAXIMUM NUMBER OF POINTS
Quality of work plans submitted	17
Cost	40
Experience of staff to be assigned to perform services	25
Acceptance of the terms and conditions in the Contract	15
DVBE incentive	3

10.0 INTERVIEWS AND FURTHER INFORMATION

The Court 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 Court's offices. The Court will not reimburse Proposers for any costs incurred in traveling to or from the interview location. The Court will notify eligible Proposers regarding interview arrangements.

The Court reserves the right to ask for further information from the proposer, either in writing or verbally.

11.0 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 Court 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," or otherwise, and regardless of any statement in the proposal (a) purporting to limit the Court's right to disclose information in the proposal, or (b) requiring the Court 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.

12.0 DISABLED VETERAN BUSINESS ENTERPRISE INCENTIVE

Qualification for the DVBE incentive is optional, not mandatory. Failure to qualify for the DVBE incentive will not render a proposal non-responsive.

Eligibility for and application of the DVBE incentive is governed by the Court's DVBE Rules and Procedures. Proposer will receive a DVBE incentive if, in the Court's sole determination, Proposer has met all applicable requirements. If Proposer receives the DVBE incentive, a number of points will be added to the score assigned to Proposer's proposal. The number of points that will be added is specified in section 9.0 above.

To receive the DVBE incentive, at least 3% of the contract goods and/or services must be provided by a DVBE performing a commercially useful function. Because this solicitation is for non-IT services, a Proposer may not qualify for the DVBE incentive using a DVBE Business Utilization Plan.

If Proposer wishes to seek the DVBE incentive:

1. Proposer must complete and submit with its proposal the Bidder Declaration (included as part of Attachment 4). Proposer must submit with the Bidder Declaration all materials required in the Bidder Declaration.

2. Proposer must submit with its proposal a DVBE Declaration (also included as part of Attachment 4) completed and signed by each DVBE that will provide goods and/or services in connection with the Contract. If Proposer is itself a DVBE, it must complete and sign the DVBE Declaration. If Proposer will use DVBE subcontractors, each DVBE subcontractor must complete and sign a DVBE Declaration.

Failure to complete and submit these forms as required will result in Proposer not receiving the DVBE incentive. In addition, the Court may request additional written clarifying information. Failure to provide this information as requested will result in Proposer not receiving the DVBE incentive.

If Proposer receives the DVBE incentive: (i) Proposer will be required to complete a post-contract DVBE certification if DVBE subcontractors are used, and the Court's final payment will be withheld as specified in the Contract, (ii) Proposer must use any DVBE subcontractor(s) identified in its proposal unless the Court approves in writing the substitution of another DVBE; and (iii) failure to meet the DVBE commitment set forth in its proposal will constitute a breach of contract.

FRAUDULENT MISREPRESENTATION IN CONNECTION WITH THE DVBE INCENTIVE IS A MISDEMEANOR AND IS PUNISHABLE BY IMPRISONMENT OR FINE, AND VIOLATORS ARE LIABLE FOR CIVIL PENALTIES. SEE MVC 999.9.

13.0 PROTESTS

Any protests will be handled in accordance with Chapter 7 of the Judicial Branch Contracting 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 Court to receive a solicitation specifications protest is March 8, 2023. Protests must be sent to:

Superior Court of California, County of San Benito
ATTN: RFP Protest
450 Fourth Street
Hollister, CA 95023