

RFP Title: Small Claims Advisory Service
RFP Number: 1617001

REQUEST FOR PROPOSALS

**SUPERIOR COURT OF CALIFORNIA,
COUNTY OF STANISLAUS**

REGARDING:

RFP Title: Small Claims Advisory Service
RFP Number: 1617001

PROPOSALS DUE:

May 26, 2017 NO LATER THAN 4:00 P.M. PACIFIC TIME

1.0 BACKGROUND INFORMATION

- 1.1 The Superior Court of California, County of Stanislaus (“Court”) is issuing this Request for Proposal (“RFP”) to provide the Court with competitive bids for services related to Small Claims Advisory.

2.0 DESCRIPTION OF SERVICES AND DELIVERABLES

- 2.1 The JBE seeks the services of a person or entity with expertise in providing information and counseling to litigants, and potential litigants, concerning all aspects of the Small Claims Court process, including case preparation, collection, venue, appeals and more.
- 2.2 The services to be provided along with unlawful detainer forms assistance are governed by the following code sections:
- a. CCP 116.260. In each county, individual assistance shall be made available to advise small claims litigants and potential litigants without charge as provided in Section 116.940 and by rules adopted by the Judicial Council.
 - b. CCP 116.940. (a) Except as otherwise provided in this section or in rules adopted by the Judicial Council, which are consistent with the requirements of this section, the characteristics of the small claims advisory service required by Section 116.260 shall be determined by each county in accordance with local needs and conditions.
 - (b) Each advisory service shall provide the following services:
 - (1) Individual personal advisory services, in person, by email or by telephone, and by any other means reasonably calculated to provide timely and appropriate assistance. The topics covered by individual personal advisory services shall include, but not be limited to, preparation of small claims court filings, procedures, including procedures related to the conduct of the hearing, and information on the collection of small claims court judgements.
 - (2) Recorded telephone messages may be used to supplement the individual personal advisory services, but shall not be the sole means of providing advice available in the county.
 - (3) Adjacent counties may provide advisory services jointly.
 - (c) In any county in which the number of small claims actions filed annually is 1,000 or less as averaged over the immediately preceding two fiscal years, the county may elect to exempt itself from the requirements set forth in subdivision (b). This exemption shall be formally noticed through the adoption of a resolution by the board of supervisors. If a county so exempts itself, the county shall nevertheless provide the following minimum advisory services in accordance with rules adopted by the Judicial Council:

(1) Recorded telephone messages providing general information relating to small claims actions filed in the county shall be provided during regular business hours.

(2) Small claims information booklets shall be provided in the court clerk's office of each superior court, the county administrator's office, other appropriate county offices, and in any other location that is convenient to prospective small claims litigants in the county.

(d) The advisory service shall operate in conjunction and cooperation with the small claims division, and shall be administered so as to avoid the existence or appearance of a conflict of interest between the individuals providing the advisory services and any party to a particular small claims action or any judicial officer deciding small claims actions.

(e) Advisors may be volunteers, and shall be members of the State Bar, law students, paralegals, or persons experienced in resolving minor disputes, and shall be familiar with small claims court rules and procedures. Advisors may not appear in court as an advocate for any party.

(f) Advisors, including independent contractors, other employees, and volunteers have the immunity conferred by Section 818.9 of the Government Code with respect to advice provided as a public service on behalf of a court or county to small claims litigants and potential litigants under this chapter.

2.3 Funding Source – The Small Claims Advisory program is funded through legislation that requires various fee amounts from each small claims filing to be used for the small claims advisory services based on the Uniform Civil Filing fees. The total amount to be paid out under any contract that arises from this solicitation shall not exceed the fees collected under the program identified above.

2.4 Statistical Data – Below are the total unlawful detainer (UD) and small claims (SC) filings for the last three fiscal years:

<u>Fiscal Year</u>	<u>UD Filings</u>	<u>SC Filings</u>
FY 2015-16	2,225	1,563
FY 2014-15	2,422	1,219
FY 2013-14	2,511	1,114

3.0 TIMELINE FOR THIS RFP

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

EVENT	DATE
RFP issued	May 1, 2017
Deadline for questions	May 12, 2017
Questions and answers posted	May 19, 2017
Latest date and time proposal may be submitted	May 26, 2017 no later than 4:00PM Pacific Time
Evaluation of proposals (<i>estimate only</i>)	May 29, 2017 through June 2, 2017
Notice of Intent to Award (<i>estimate only</i>)	June 9, 2017
Negotiations and execution of contract (<i>estimate only</i>)	June 19, 2017
Contract start date (<i>estimate only</i>)	July 1, 2017
Contract end date (<i>estimate only</i>)	June 30, 2018

4.0 RFP ATTACHMENTS

The following attachments are included as part of this RFP:

ATTACHMENT	DESCRIPTION
Attachment 1: Administrative Rules Governing RFPs (Non-IT Services)	These rules govern this solicitation.
Attachment 2: JBE Standard Terms and Conditions	If selected, the person or entity submitting a proposal (the “Proposer”) must sign this JBE Standard Form agreement.
Attachment 3: Proposer’s Acceptance of Terms and Conditions	On this form, the Proposer must indicate acceptance of the Terms and Conditions or identify exceptions to the Terms and Conditions.
Attachment 4: General Certifications Form	The Proposer must complete the General Certifications Form and submit the completed form with its proposal.
Attachment 5: Darfur Contracting Act Certification	The Proposer must complete the Darfur Contracting Act Certification and submit the completed certification with its proposal.
Attachment 6: Payee Data Record Form	This form contains information the JBE requires in order to process payments and must be submitted with the proposal.

5.0 PAYMENT INFORMATION

Payment information will be provided at a later date prior to issuance of a contract with prescribed vendor(s).

6.0 SUBMISSIONS OF PROPOSALS

- 6.1 Proposals should provide straightforward, concise information that satisfies the requirements of the “Proposal Contents” section below. 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.
 - a. 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 original technical proposal (and the copies thereof) must be submitted to the JBE in a single sealed envelope, separate from the cost proposal. The Proposer must write the RFP title and number on the outside of the sealed envelope.

- b. 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 JBE 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.
 - c. The Proposer must submit an electronic version of the entire proposal on CD-ROM or USB memory stick/flash drive. The files must 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:
- Proposal – RFP 1617001**
Attn: Jose Ocegueda
800 11th Street, Room 100
Modesto, CA 95354
- 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.
- a. The Proposer's name, address, telephone and fax numbers, and federal tax identification number. Note that if the Proposer is a sole proprietor using his or her social security number, the social security number will be required before finalizing a contract.
 - b. Name, title, address, telephone number, and email address of the individual who will act as the Proposer's designated representative for purposes of this RFP.
 - c. 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.

- d. Names, addresses, and telephone numbers of a minimum of five (5) clients for whom the Proposer has conducted similar services. The JBE may check references listed by the Proposer.
- e. Proposed method to complete the work.
 - i. Communication process with the Court
 - ii. Training (initial and ongoing)
 - iii. Time Schedule
 - iv. Program Evaluation
 - v. Statistical Data – Proposers shall provide an example of what program evaluation statistics will be kept, maintained and reported to the court on a quarterly basis.
 - vi. Proposers shall provide a marketing plan to include how they will provide outreach methods, e.g. speaking engagements, flyers, public service announcements, etc., to the focus population.
 - vii. Proposers shall provide a list of subcontractors to be used in the mediation of Small Claims and Unlawful Detainer cases and update that list as the subcontractors change.
 - viii. Proposers may add any information in their responses that will help the court better understand the level of services they will provide to the community and to the court.
 - ix. Describe the level of customer service that will be provided, including procedures that will ensure consistency and problem escalation and resolution. The description should include, but is not limited to:
 - a) Customer service organizational structure.
 - b) Contact process (phone, email, fax, etc.).
 - c) Follow up process.
 - d) Internal procedures to track customer service contract and resolution.
 - e) Escalation process to resolve outstanding customer service issues.
 - x. Proposer shall describe the common reports that are available to the court. Include the type of report, the information provided in the report, the

frequency of the report, the process to request the report, and the process used to deliver the report. Vendors are encouraged to include a sampling of common reports. In addition, Proposer shall describe its capabilities to provide quarterly reports.

- f. Acceptance of the Terms and Conditions.
 - i. On Attachment 3, the Proposer must check the appropriate box and sign the form. If the Proposer marks the second box, it must provide the required additional materials. An “exception” includes any addition, deletion, or other modification.
 - ii. If exceptions are identified, the Proposer must also submit (i) a red-lined version of the Terms and Conditions that implements all proposed changes, and (ii) a written explanation or rationale for each exception and/or proposed change.
- g. Certifications, Attachments, and other requirements.
 - i. The Proposer must complete the General Certifications Form (Attachment 4) and submit the completed form with its proposal.
 - ii. The Proposer must complete the Darfur Contracting Act Certification (Attachment 5) and submit the completed certification with its proposal.
 - iii. If Contractor is a California corporation, limited liability company (“LLC”), limited partnership (“LP”), or limited liability partnership (“LLP”), proof that Contractor is in good standing in California. If Contractor is a foreign corporation, LLC, LP, or LLP, and Contractor conducts or will conduct (if awarded the contract) intrastate business in California, proof that Contractor is qualified to do business and in good standing in California. If Contractor is a foreign corporation, LLC, LP, or LLP, and Contractor does not (and will not if awarded the contract) conduct intrastate business in California, proof that Contractor is in good standing in its home jurisdiction.
 - iv. Copies of the Proposer’s (and any subcontractors’) current business licenses, professional certifications, or other credentials.
 - v. Proof of financial solvency or stability (e.g., balance sheets and income statements).

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

- i. A detailed line item budget showing total cost of the proposed services. The budget should reflect, at minimum, the following items:
 - (1) position/classification titles funded;
 - (2) salary rates or ranges;
 - (3) percentage of time devoted to the work;
 - (4) fringe benefits;
 - (5) operating expenses;
 - (6) travel and per diem expenses;
 - (7) overhead or indirect costs; and
 - (8) subcontractors with the same type of cost details.
- ii. A full explanation of all budget line items in a narrative entitled “Budget Justification.”
- iii. A “not to exceed” total for all work and expenses payable under the contract, if awarded.

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 period, the JBE 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 JBE 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 JBE will post an intent to award notice at <http://www.stanct.org/vendor-resources>.

CRITERION	MAXIMUM NUMBER OF POINTS
Cost	30 Points
Experience on similar assignments	20 Points
Credentials of staff to be assigned to the project	20 Points
Quality of work plan submitted	10 Points
Acceptance of the Terms and Conditions	10 Points
Ability to meet timing requirements to complete the project	10 Points

10.0 INTERVIEWS

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

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 JBE 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 JBE’s right to disclose information in the proposal, or (b) requiring the JBE 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

The Court 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 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 JBE to receive a solicitation specifications protest is the proposal due date. Protests must be sent to:

Protest – RFP 1617001
Attn: Jose Ocegueda
800 11th Street, Room 100
Modesto, CA 95354