

REQUEST FOR PROPOSALS

**SUPERIOR COURT OF CALIFORNIA, COUNTY OF
ALAMEDA**

REGARDING:

RESTORATIVE PRACTICES PROGRAM DEVELOPMENT & IMPLEMENTATION
RFP NUMBER: SC 1701.2024.2.JG

PROPOSALS DUE:

FEBRUARY 27, 2024, NO LATER THAN **2.00 P.M.** PACIFIC TIME

KEY INFORMATION SUMMARY SHEET

Request for Proposal	Superior Court of California, County of Alameda – Restorative Practices Program Development & Implementation
RFP Number:	SC 1701.2024.2.JG
RFP Issue Date:	January 16, 2024
RFP Issuing Office:	Human Resources Division
Procurement Contact:	Superior Court of California, County of Alameda Finance and Facilities Division Attention: Procurement – Eddie Sanchez RFP SC 1701.2024.2.JG 1225 Fallon Street, Room 210 Oakland, CA 94612 bidquestions@alameda.courts.ca.gov
e-mail:	
Proposals are to be sent to:	bidquestions@alameda.courts.ca.gov
Timeline for this RFP	
Pre-Proposal Conference:	January 23, 2024, 2pm Pacific Time https://alameda-courts-ca-gov.zoomgov.com/j/1616500049?pwd=aWhitejBYeWpUK1duaThyeTBxTGtCdZ09
Deadline for Questions:	January 30, 2024, 2pm Pacific Time
Questions and Answers Posted (estimate only):	February 1, 2024, 2 pm Pacific Time
Proposal Due (Closing) Date and Time:	February 27, 2024, 2 pm Pacific Time
Interview and Demonstration Dates (estimate only):	March 11, 2024–March 15, 2024
Evaluation of Proposals (estimate only):	February 29, 2024–March 21, 2024

Notice of Intent to Award (estimate only):	March 22, 2024
Negotiations and Execution of Contract (estimate only):	March 25, 2024–April 19, 2024
Contract Duration:	May 1, 2024–April 30, 2025
RFP Attachments	
Attachment 1: Administrative Rules Governing RFPs	These rules govern this solicitation.
Attachment 2: Terms and Conditions	On this form, if exceptions are identified, Prospective Bidders must submit (i) a redlined version of Attachment 2 – Agreement Terms and Conditions and Supplemental 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 Court. If selected, the person or entity submitting a proposal (the “Prospective Bidder”) must sign Acceptance of Terms and Conditions form (Attachment 3); this Court Standard Form agreement (the “Terms and Conditions”).
Attachment 3: Prospective Bidder’s Acceptance of Terms and Conditions	<p>On this form, the Prospective Bidder must indicate acceptance of the Terms and Conditions or identify exceptions to the Terms and Conditions. If selected, the person or entity submitting a proposal must sign the form.</p> <p>If exceptions are identified, the Prospective Bidder must also submit (i) a red-lined version of the Standard Terms and Conditions that implements all proposed changes, and (ii) a written explanation or rationale for each exception and/or proposed change.</p> <p>Note: A material exception may render a proposal non-responsive.</p>
Attachment 4: General Certifications Form	The Prospective Bidder must complete the General Certifications Form and submit the completed form with its proposal.

Attachment 5: Darfur Contracting Act Certification	The Prospective Bidder 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 Court requires in order to process payments and must be submitted with the proposal.
Attachment 7: Unruh and FEHA Certification	The Prospective Bidder must complete the Unruh Civil Rights Act and California Fair Employment and Housing Act Certification. <i>Only for solicitations of \$100,000 or more</i>
Attachment 8: Bidder Declaration	The Prospective Bidder must complete this form only if it wishes to claim the disabled veteran business enterprise (DVBE) incentive associated with this solicitation.
Attachment 9: DVBE Declaration	Each DVBE that will provide goods and/or services in connection with the contract must complete this form. If Prospective Bidder is itself a DVBE, it must also complete and sign the DVBE Declaration.
Attachment 10: Question and Answer Form	Prospective Bidder must use the attached form to submit any questions.
Attachment 11: Contact Sheet	Prospective Bidder must complete the contact information and submit with proposal.
Attachment 12: Reference Check Form	Prospective Bidder must complete the Reference Check Form information and submit with proposal.
Attachment 13: Technical Proposal Template	Prospective Bidder must their proposal using the Technical Proposal Template.
Attachment 14: Cost Proposal Template	Prospective Bidder must propose the cost using the Cost Proposal Template.
Attachment 15: Check List	RFP Checklist.

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1.0 BACKGROUND INFORMATION

- 1.1 The Superior Court of California, County of Alameda is one of 58 superior courts in the State of California. The Court is comprised of 600 employees stationed across its 8 courthouses with different worksite locations. Employees come from diverse backgrounds (ethnicity, religion, age, gender, culture, etc.) and the Court is seeking qualified consultants who are subject matter experts with proven experience in developing a successful workplace Restorative Practices (RP) program to achieve informal dispute and conflict resolution.

2.0 DESCRIPTION OF SERVICES AND DELIVERABLES

- 2.1 The Court is requesting proposals from a qualified and extensively trained Restorative Practices Contractor who has demonstrated success in conducting restorative conversations, in implementing successful restorative practices programs and policies in public sector organizations and has provided effective train-the-trainer services and post-implementation program support as needed. The scope of work for this RFP shall include but is not limited to:

2.1.1 Conducting Assessments and Creating Policies to adopt:

- a. Conduct a full assessment and analysis of the Court's organizational and policy infrastructure, including the Court's Personnel Organization, Policies and Rules (POPR), in support of building an effective employee conflict resolution program in the workplace.
- b. Determine what is needed to fulfill the Court's programmatic requirements for Restorative Practices in alignment with any applicable local, state, and federal regulations and collective bargaining agreements (MOUs) in order to build a successful Restorative Practices program for Court employees.
- c. Develop and customize a Restorative Practices program policy to support and implement an effective Court Restorative Practices program.
- d. Provide a detailed analysis report supporting the Restorative Practices Court policy recommendations.
- e. Create a training plan and training materials to implement the program. Train Court employees who will serve as the Restorative Practices program facilitators (3-5 people) on how to effectively lead a restorative conversation, how to provide appropriate follow up and consultation with the affected employees, how to identify ways to strengthen workplace relationships and address issues before they become a bigger conflict and recommend ways to update the policy when needed.

- f. Provide comprehensive, easy to follow, documentation on how to conduct restorative conversations and update policies for future reference (post-implementation).

2.1.2 Restorative Practices Program Development

- a. Consult Court's Project Manager and understand how the court works and its role and structure to develop a plan that can be practically implemented at court. The contractor can modify their existing program to fit court needs.
- b. Develop a program that serves as Informal Dispute and conflict resolution by way of the restorative practices methodology; at the lowest level, the program should suggest and create a court wide infrastructure to strengthen workplace relationships and communication and address issues before they become a full-blown violation of policy or worsen the existing issues.
- c. Identify the roles and responsibilities of each party involved in restorative conflict resolution, and clearly define the policies, procedures and best practices that need to be followed by each party.
- d. The Program should have all the strategies and techniques to achieve the following outcomes through this program.
 - i. The Program must include an approach to provide employees with the option to address their conflicts or disputes in the workplace through restorative practices methodology and restorative conversations.
 - ii. Effective and structured approach to resolving disputes and conflicts.
 - iii. De-escalation techniques adapted for the workplace.
 - iv. Practices to provide opportunities to rebuild damaged relationships and strengthen teams.
 - v. Approaches, practices, and skills to build better relationships and stronger workplace culture for all levels of employees.
 - vi. Provides feasible practices to address discipline, behavior, and communication issues and offers a consistent framework for responding to these issues.
 - vii. Strategies or practices must be easier to communicate.
 - viii. Design criteria to measure the success of the program and develop meaningful performance measures.
- e. Prepare and provide any Non-Disclosure Agreement that needs to be signed to maintain the confidentiality of all the parties involved. Provide clear instructions on when and who needs to sign this.

- f. Identify the challenges that may arise during the implementation of the program and develop a mitigation plan.
- g. Provide a complete package of referencing documents of policies and restorative practices developed for the court.
- h. Provide recommendations for how the Court will maintain the restorative practices program post-implementation and once the Contractor relationship has ended.

2.1.3 Structure to Implement Restorative Practices

Provide a clear rollout plan for the implementation of Restorative Practices. The plan shall include the below but not be limited to:

- a. Develop a plan and timeline to implement the program in all court locations provided below.

Rene C. Davidson Courthouse
1225 Fallon St
Oakland, CA 94612

Wiley W. Manuel Courthouse
661 Washington Street
Oakland, CA 94607

Alameda County Administration Building
1221 Oak St.
Oakland, CA 94612

Juvenile Justice Center
2500 Fairmont Dr C3013
San Leandro, CA 94578

Hayward Hall of Justice
24405 Amador St
Hayward, CA 94544

Berkeley Courthouse
2120 Martin Luther King Jr. Way
Berkeley, CA 94704

George E. McDonald Hall of Justice
2233 Shoreline Dr
Alameda, CA 94501

Fremont Hall of Justice
39439 Paseo Padre Pkwy
Fremont, CA 94538

East County Hall of Justice
5151 Gleason Dr.
Dublin, CA 94568

- b. Provide a train-the-trainer model to implement the program. In-person training must be provided for the court staff who will serve as Restorative Practices facilitators, which we anticipate to be approximately 3-5 people. Trainers must be trained to the point where they can successfully apply restorative practices methodology to resolve conflicts with minimal help.
- c. Identify any new issues while implementing the program and offer solutions to address those issues.
- d. Restorative Practices “awareness” training, which introduces the concepts of restorative practices, restorative conversations, and the intent behind the program, must be developed and implemented for all Court staff (over 600 employees). It need not be in-person training.
- e. Currently the court is expecting approximately 20-25 conflict resolution requests per year.

2.1.4 Post-Implementation Support

Post-implementation support consultation may be needed to deal with the challenges the Court may come across and to validate that the Restorative Practices policy is correctly applied.

2.2 Qualified Prospective Bidders will demonstrate:

- a. Successful implementation of Restorative Practices in government organizations, ideally beyond the traditional K-12 environment.
- b. Highly experienced in the train-the-trainer module of the program delivery.
- c. Preserving and maintaining a high level of confidentiality. A professional license is highly desirable.
- d. Providing timely deliverables and maintaining cost-effectiveness.

3.0 PAYMENT INFORMATION

3.1 Invoicing

- a. The Contractor will submit an invoice or invoices for individual completed deliverables during the assessment and policy building, developing restorative practices program plan and implementing the program. The Court will issue payment upon acceptance of the completed deliverables by the Court's Project Manager.
- b. Invoices should be submitted to the Court's Accounts Payable at accountspayable@alameda.courts.ca.gov, with a copy to grogers@alameda.courts.ca.gov.
- c. If requested, the contracting agency will promptly correct any inaccuracy and resubmit an invoice. If the Court rejects any services or work product after payment is issued, the Court may exercise all contractual and other legal remedies, including:
 - i. Setting off the overpayment against future invoices payable by the Court.
 - ii. Setting off the overpayment against any other amount payable for the benefit of the Contractor pursuant to the agreement or otherwise, and
 - iii. Requiring the Contractor to refund the overpayment within thirty (30) days of the Court's request.

3.2 Payments

- a. The Court will process invoices within forty-five (45) days of receipt and approval by the Court's Project Manager. All invoices must reference the Contractor's purchase order number which will be provided by the Court.
- b. Payment terms will be specified in the contract that will be executed as a result of an award made under this RFP, however, prospective Contractors are hereby advised that the Court payments are made by the State of California, and the State does not make any advance payments for services. Payment by the State is normally made based upon completion of tasks as provided for the agreement between the Court and the selected Contractor.

3.3 Additional Services/Expenses

Contractor must provide written notice to the Court of any excess charge and obtain the Court Project Manager's written approval prior to performing any additional service that would incur an excess charge.

4.0 PRE-PROPOSAL CONFERENCE

The Court will hold a pre-proposal conference on the date identified in the timeline above. The pre-proposal conference will be held over Zoom.

Attendance at the pre-proposal conference is optional. Prospective Bidders are strongly encouraged to attend.

5.0 SUBMISSION OF PROPOSALS

- 5.1 The Court may conduct interviews with Prospective Bidders to clarify aspects set forth in their proposals or to assist in finalizing the ranking of top-ranked proposals. The interview process may require a demonstration. The interview may also require a demonstration of equivalence if a brand name is included in the specifications. The interviews may be conducted via Zoom or by phone. The Court will notify eligible Prospective Bidders regarding interview arrangements.
- 5.2 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.
- 5.3 The Prospective Bidder must submit its proposal in two separate emails, the Technical Proposal and the cost proposal by the date and time listed on the coversheet of this RFP.
 - a. The proposals must be emailed to bidquestions@alameda.courts.ca.gov. The subject line of the email must include the RFP title and number.
 - b. The proposal must be signed by an authorized representative of the Prospective Bidder.
- 5.4 Cost Proposals must be submitted in modifiable Microsoft Excel format.
- 5.5 Late proposals will not be accepted.

6.0 QUESTIONS

- 6.1 Interested parties may submit a request for clarifications, modifications, or questions to the Court using the Question and Answer Form, provided in **Attachment 10**. Requests shall be submitted via email to bidquestions@alameda.courts.ca.gov no later than the date specified in the RFP timeline. Please indicate the RFP number and title in the subject line of the email. Contact with the Court shall be made only through the email address.

- 6.2 The Court will not accept telephone calls related to the RFP. All communications must be made with the Question and Answer Form (Attachment 10).

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. Please respond to the technical proposal without the pricing information. Include pricing information only in the Cost Proposal.

Prospective Bidder must submit the following documents to complete the Technical Proposal.

- a. The Prospective Bidder's name, address, telephone and fax numbers, and federal tax identification number. Note that if the Prospective Bidder is the sole proprietor using his or her social security number, the social security number will be required before finalizing a contract. (Attachment 11)
- b. Name, title, address, telephone number, and email address of the individual who will act as the Prospective Bidder's designated representative for purposes of this RFP. (Attachment 11)
- 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 three (3) clients for whom the Prospective Bidder has conducted similar services. The Court may check references listed by the Prospective Bidder. (Attachment 12)
- e. Technical Proposal Questionnaire (Attachment 13)
- f. Acceptance of the Terms and Conditions.
 - i. On Attachment 3, the Prospective Bidder must check the appropriate box and sign the form. If the Prospective Bidder 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 Prospective Bidder 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.

iii. **Note: A material exception to the Minimum Term will render a proposal non-responsive.**

g. Certifications, Attachments, and other requirements.

- i. The Prospective Bidder must complete the General Certifications Form (Attachment 4) and submit the completed form with its proposal.
- ii. The Prospective Bidder 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 Prospective Bidder’s (and any subcontractors’) current business licenses, professional certifications, or other credentials that qualified to be a Restorative Practices Trainer.
- v. The Prospective Bidder must complete the Unruh Civil Rights Act and California Fair Employment and Housing Act Certification (Attachment 7) and submit the completed certification with its bid.

7.2 Cost Proposal. Please complete (Attachment 14) – Cost Proposal Template. The following information must be included in the cost proposal.

- a. A time calculation based on estimated hours and hourly rate for each deliverable.
- b. A “not to exceed” total for all work and expenses payable under the contract, if awarded (including travel expenses to different court locations).
- c. A “not to exceed” total for all work and expenses payable under the contract, if awarded (excluding travel expenses to different court locations).

- d. Hourly rate for post-implementation support.

8.0 OFFER PERIOD

A Prospective Bidder'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

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

- 9.1 Evaluation Committee. The Court will conduct a comprehensive and impartial evaluation of proposals received in response to this RFP. All proposals received from Contractors will be reviewed and evaluated by a committee of qualified personnel ("Evaluation Committee"). The name, units, or experience of the individual members will not be made available to any Contractor.
- 9.2 Requests for Additional Information. The Court reserves the right to seek clarification or additional information from any Contractor throughout the solicitation process. The Court may require a Contractor's representative to answer questions throughout the evaluation process with regard to the Contractor's proposal. Failure of a Contractor to demonstrate that the claims made in its proposal are in fact true may be sufficient cause for deeming a proposal non-responsive.
- 9.3 Evaluation Criteria. The Court will evaluate the proposals using the criteria set forth in the table below. Award, if made, will be to the highest-scored proposal.

CRITERION	MAXIMUM NUMBER OF POINTS
FIRM EXPERIENCE	20
KEY PERSONNEL EXPERIENCE	26
IMPLEMENTATION PLAN AND TIMELINE	28
COST-EFFECTIVENESS	26
DVBE QUALIFICATION	5

If a contract will be awarded, the Court will post an intent to award notice at <https://www.alameda.courts.ca.gov/general-information/contract-opportunities>

Although some factors may be weighted more than others, all are considered necessary, and a proposal must be technically acceptable in each area to be eligible for an award. With regard to cost, the Court reserves the right, in its sole discretion, to reject any proposal whose price is outside the competitive range.

10.0 INTERVIEWS

The Court will conduct interviews with Prospective Bidders to clarify aspects set forth in their proposals. The interviews will be conducted over Zoom. The Court will notify Prospective Bidders 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 Court will not disclose (i) social security numbers, or (ii) balance sheets or income statements submitted by a Prospective Bidder 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 Prospective Bidder 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. Submission of any proposal pursuant to this RFP constitutes acknowledgment and consent by the Prospective Bidder to the potential public disclosure of its proposal content, pursuant to this Section 13.0 **Prospective Bidders 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 not mandatory. Failure to qualify for the DVBE incentive will not render a proposal non-responsive.

Eligibility for an application of the DVBE incentive is governed by the Court’s DVBE Rules and Procedures. Prospective Bidder will receive a DVBE incentive if, in the Court’s sole determination, Prospective Bidder has met all applicable requirements. If Prospective Bidder receives the DVBE incentive, a number of points will be added to the score assigned to Prospective Bidder’s proposal. The number of points that will be added is specified in Section 9.3 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. Or, for solicitations of non-IT goods and IT goods and services, Prospective Bidder may have an approved Business Utilization Plan (“BUP”) on file with the California Department of General Services (“DGS”).

If Prospective bidder wishes to seek the DVBE incentive:

1. Prospective Bidder must complete and submit with its proposal the Bidder Declaration (**Attachment 8**). Prospective Bidder must submit with the Bidder Declaration all materials required in the Bidder Declaration.
2. Prospective Bidder must submit with its proposal a DVBE Declaration (**Attachment 9**) completed and signed by each DVBE that will provide goods and/or services in connection with the contract. If Prospective Bidder is itself a DVBE, it must complete and sign the DVBE Declaration. If Prospective Bidder will use DVBE subcontractors, each DVBE subcontractor must complete and sign a DVBE Declaration. NOTE: The DVBE Declaration is not required is Prospective Bidder will qualify for the DVBE incentive using a BUP on file with DGS.

Failure to complete and submit these forms as required will result in Prospective Bidder 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 Prospective Bidder not receiving the DVBE incentive.

If Prospective Bidder receives the DVBE incentive: (i) Prospective Bidder will be Required to complete a post-contract DVBE certification if DVBE subcontractors are used; (ii) Prospective Bidder 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 Prospective Bidder 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 the proposal due date. Protests must be sent to the Court address listed below via certified mail including signature required upon delivery. Personal and hand delivery of Protests will not be accepted.

RFP Title: Restorative Practices Program Development & Implementation
RFP Number: SC 1701.2024.2.JG

Superior Court of California, County of Alameda
Finance and Facilities Division
Attention: Melanie Lewis
RFP SC 1701.2024.2.JG
1225 Fallon Street, Room 210
Oakland, CA 94612

The deadline to submit an Award Protest is five (5) business days after the Court posts the Intent to Award. Protests must be sent to the Court address listed below via certified mail including signature required upon delivery. Personal and hand delivery of Award Protests will not be accepted.

Superior Court of California, County of Alameda
Finance and Facilities Division
Attention: Melanie Lewis
RFP SC 1701.2024.2.JG
1225 Fallon Street, Room 210
Oakland, CA 94612