

Request for Proposals

**Superior Court of California,
County of Santa Clara Juvenile Dependency**

**Request for Proposal for Guardian Ad Litem Representation
in Juvenile Court Proceedings
Pursuant to CCP 373**



**Contact: Jean Pennypacker, Director, Family Resources Division
Superior Court Administration
191 North First Street
San Jose, CA 95113
(408) 882-2700**

I. Introduction

The purpose of this Request for Proposals (RFP) is to provide the Superior Court of California, County of Santa Clara (Court) with competitive bids in order to select the most efficient and cost effective provider of Guardian ad Litem services for parents who are found to be incompetent and minor parents involved in the Juvenile Dependency Court. This RFP is open to qualified attorneys and non-attorneys.

Proposals will be considered in developing a plan for handling these appointments beginning July 1, 2009. Proposals are being solicited for a one year contract, with two one-year extension options. Only proposals for an all-inclusive contract covering the three years will be accepted.

The Court intends to negotiate with bidders whose proposals best serve the needs of the Court at a reasonable cost. The Court reserves the right to reject all proposals.

Costs incurred by bidders in responding to this RFP are entirely the responsibility of the bidders and will not be reimbursed.

The Proposal should describe the bidder's familiarity with the juvenile dependency system, parents and teen parents who are mentally ill or incompetent. Successful bidders must also demonstrate knowledge of the developmental needs of adolescents, and the capacity to maintain a caseload of Dependency Court clients.

II. Background

The Superior Court of California County of Santa Clara is the fifth largest court in the state and the largest Court in the Bay Area. The Court serves the public by providing equal justice for all in a fair, accessible, effective, efficient, and courteous manner. In all of the divisions of the court that handle issues involving families, the best interest and safety of the child is the first priority of the Court. The focus of the Juvenile Dependency Court is on protecting a child from parents who neglect or abuse them. Three judges sit in Dependency Court. This will increase to four judges on July 6, 2008. These judicial officers handle close to 800 new filings a year and about 2,000 cases are under judicial supervision at any given time.

The goal of the Juvenile Dependency Court is to:

- Protect children
- Give them stability
- Keep families together
- Treat everyone with dignity
- Respect diversity, and
- Value every child like their own

Reports of neglect, abuse, abandonment, or exploitation come from several sources within the community. The role of the Department of Family and Children Services (DFCS) is to investigate these allegations. If the report is sufficiently substantiated, DFCS files a petition with the Juvenile Dependency Court. Within 48 hours, the parent must appear in Court for the initial detention hearing. Sections 372 and 373 of the Code of Civil Procedure require the

Court to appoint a GAL for a party in an action, who is incapable of participating in the process. This requirement applies to a party who is determined to be mentally ill, incompetent or, upon application, a minor. The intent of this RFP is to provide GAL services for minor parents and parents who are mentally ill or incompetent.

The role of the GAL is addressed in Juvenile Local Rule 2G(1)c.

The Guardian ad Litem's role is to protect the rights of the ward. He or she has the right to control the litigation on behalf of the ward. Among the guardian's powers are the right to compromise or settle the action, to control the procedural steps incident to the conduct of the litigation, and, with the approval of the Court, to make stipulations or concessions that are binding on the ward, provided they are not prejudicial to the ward's interests. The Guardian ad Litem's role is more than an attorney's but less than a party's. The Guardian ad Litem may make tactical and even fundamental decisions affecting the litigation, but always with the interest of the ward in mind. However, the guardian may not compromise fundamental rights, including the right to trial, without some countervailing and significant benefit.

The need for a GAL in the Dependency Court is infrequent, but the amount of time necessary for each case may vary widely. For the 2007 calendar year, only 18 GAL appointments were made and 944 new W&I 300 cases were filed. For the 2008 calendar year, 14 GAL appointments were made and 667 new W&I 300 cases were filed. Currently we have 9 GAL appointments still active. It is estimated that each GAL case may, at the most, require 10 Court appearances and the GAL could follow the case from detention through to permanent placement. In other instances, the GAL may be required for one or two appearances. Consequently, the actual number of appearances and necessary preparation time will vary depending on the individual case. In addition to court appearances, the Guardian ad Litem may need to meet with his/her ward outside a courtroom setting.

Juvenile Court Rule 2D (1)b requires that the attorneys who practice in Dependency Court must meet minimum training and educational requirements which comply with W&I 317.6 and CRC Rule 5.660, formerly 1438)

- A minimum 36 hours of training in juvenile dependency law and practice as listed in the local rule or
- A minimum of 6 months of experience within the last 12 months in dependency proceedings
- Complete within every year at least 12 hours of continuing education related to dependency proceedings as listed in the local rule

Attorney bidders will not be required to meet the training and educational requirements listed above in order to apply, but be willing to obtain them once appointed.

In addition:

- Excellent interpersonal skills
- Bilingual/bicultural skills preferred

Non-attorney bidders at a minimum must have:

- A BA or BS from an accredited college or university
- Experience in the juvenile dependency system and knowledge of the Department of Family and Children Services

- Understanding of the service delivery systems and community resources
- Experience working with teen parents
- Knowledge of mental illness, substance abuse and intimate partner violence/domestic violence issues
- Excellent interpersonal skills
- Bilingual/bicultural skills preferred

This is consistent with the Judicial Counsel's Guiding Principle 3 outlined in the California Juvenile Dependency Court Improvement Program Reassessment: The dependency system should be staffed by well-trained judicial officers and other professionals, who are given the resources and reasonable caseloads to do their jobs effectively.

Bidders are invited to submit proposals in accordance with the requirement outlined in this RFP.

III. Request for Proposal Process

A. Schedule

Mailing of Request for Proposals	April 17, 2009
Bidder's Conference:	May 5, 2009 at 10:00 am
Superior Court Administration	
111 West St. John Street, Suite 100	
San Jose, CA 95113	
Original & 5 copies of Proposals Due – 4:00 pm. (No faxes)	May 22, 2009
RFP Review Commences	May 25, 2009
Notification of Selected Bidder	
Contract Negotiations Conducted	Approximately 1-30 days after selection
Guardian Ad Litem Service Commences	July 1, 2009

B. Bidders' Conference

A bidders' conference will be convened by the Court prior to the RFP submission deadline to clarify any questions that bidders may have regarding the RFP. The Court will put in writing any clarification of RFP requirements resulting from the bidders' conference. All bidders are urged to attend the bidders' conference. Anyone not attending the bidders' conference is responsible for obtaining the written clarifications from the Court before the bidders' conference. The Court will **not** be available to answer further questions after the bidders' conference.

C. Submission of Proposals

Bidders are required to submit an original and 5 copies of the proposal no later than 4:00 p.m. on May 22, 2009 to:

**Jean Pennypacker, Director of Family Resources Division
Superior Court of California, County of Santa Clara
191 North First Street, San Jose, CA 95113**

No faxes will be accepted. All proposals will remain valid for a period of 90 days following this date. All responses to this Request for Proposals become the property of the Court. The Court will direct that all responses shall be held confidential from parties other than the Court

until the selection of the recommended bidder's proposal. The Court will not be held liable if material from responses is obtained without the written consent of the bidder by parties other than the Court. After the final award has been made by the Court, all proposals shall be made available for public inspection.

D. Modification or Withdrawal of Proposals

Any bidder who wishes to make modifications to a proposal already received by the Court must withdraw the proposal in order to make the modifications. All modifications must be made in ink, properly initialed by bidder's authorized representative, executed, and submitted in accordance with the terms and conditions of this solicitation. It is the responsibility of the bidder to ensure that modified proposals are resubmitted before the Submittal Deadline.

Bidders may withdraw their proposals at any time prior to the due date and time by submitting notification of withdrawal signed by the bidder's authorized agent.

E. Proposal Evaluation Criteria

Proposals will be evaluated to determine the proposal that best serves the needs of the Court at a reasonable cost. The evaluation panel will consider the following criteria in evaluating the ability of the bidder to fulfill requirements as outlined in this Request for Proposals:

1. A clear, concise, and complete program proposal.
2. Related experience, background and professional qualifications of the personnel who are responsible for implementing the program.
3. Responsiveness to client population and its language needs.
4. Plan for representation for non-English speaking clients.
5. Cost of service.

F. Interviews

The Court reserves the right to conduct interviews of bidders.

G. Contract Negotiations

After the Court selects the successful bidder, it will enter into contract negotiations regarding the terms and conditions of the services to be rendered by said provider. Award of the contract to a successful bidder will be conditional upon the negotiation of a contract approved by the Superior Court Bench.

IV. Scope of Proposal and objectives of the Request for Proposal

A. Scope

The scope of this proposal is to provide Guardian ad Litem services for parents in dependency pursuant to WIC 300 as described in Juvenile Local Rule 2G(1). Contractor may assume responsibility for all GAL existing and new appointments in Dependency Court from date contract commences.

V. Deliverables

- A. For a 1-year contract period beginning July 1, 2009, with two one-year options renewable at the discretion of the Court, bidder is to provide complete Guardian ad Litem services to minor parents or parents who are mentally ill or incompetent until relieved by the court.

- B. Complete documentation of an implementation plan that outlines candidates' qualifications. If an attorney, candidate must indicate compliance with Local Rule 2D. If a non attorney, candidate must provide background information concerning education and experience in assisting teen parents and persons with mental illness, substance abuse, and intimate partner/domestic violence.

VI. Proposal and Contract Requirements

The proposal and contract requirements to be agreed upon by bidder are listed below:

- A. All responses to this Request for Proposals become the property of the Court. The Court will direct that all responses be held confidential from parties other than the Court until the selection of the successful proposal. The Court will not be held responsible if material from responses is obtained by parties other than the Court without the written consent of the bidder.
- B. The Court reserves the right to reject any and all proposals.
- C. The bidder will hold harmless the Court and will carry insurance as described in Exhibit A of this Request for Proposals. Each bidder must submit a copy of current certificate of insurance and submit a statement that if the bidder is awarded a contract, the bidder will provide and maintain insurance requirements as outlined in Exhibit A for the entire contract period.
- D. All costs of proposal preparation shall be borne by the bidder.
- E. In the event that it becomes necessary to revise any part of this Request for Proposals, an addendum will be provided to everyone on the bidder's list.

VII. Proposal Format

The proposal will be organized in the following format:

1. Title Page showing the name of the bidder, contact person, address, telephone, fax and email information.
2. Date of Submission
3. Letter of Introduction
4. Table of Contents
5. Description of Services to be Provided
6. Budget and Cost Estimate
7. Resumes of persons proposed to provide the services
8. Acceptance of Conditions in Section VI
9. Other Information

Each of the above items must appear in chronological order in the proposal and must include specific information as described in Section VIII. The absence or inadequacy of such information may be grounds for disqualification.

VIII. Proposal Content

- A. Title Page

The title page will show the respondent's name, the proposal title, and the date submitted.

B. Letter of Introduction

The bidder must state exactly on what he/she is bidding. Within a one-page limit, the following must be included: bidder's name, address, and a statement as to whether the bidder is an individual, partner or corporation. The letter will be signed by an individual, partner, or officer of the corporation authorized to bind the corporation, depending on the legal nature of the bidder. The letter of introduction must also name the person or persons who will be authorized to make representations for the bidder, their address, telephone and fax number.

If the response to the Request for Proposals is a joint venture or involves subcontracting, this must be so stated in the Letter of Introduction.

State Bar numbers must be included for all attorneys, with an indication of his or her membership is currently in active status.

C. Table of Contents

There must be a comprehensive table of contents of material included in the proposal. This index should include a clear definition of the material and be identified by sequential page numbers.

D. Description of Services to be Provided

The bidder must describe in detail the services to be provided for the work products identified for this project.

E. Budget and Cost Estimates

The bidder must specify in this section the cost per case.

Along with the cost data outlined above, the bidder should indicate the basis and method of billing the Court. All services to be billed would be specifically identified along with a full schedule of billing rates.

F. Resumes

The resumes of key staff must be in this section. The Court reserves the right to investigate all resumes.

G. Acceptance of Conditions

By submitting a proposal, the bidder affirms that he/she accepts the following conditions, any of which may be included in the contract to be entered into between the Court and the bidder:

1. The Court may require whatever supporting documentation it deems necessary relative to the bidder's financial ability to complete the contract.
2. The Court reserves the right to ask for further information from the bidder, either in writing or verbally; and any such requests will be addressed to that person or persons authorized by the bidder to represent the bidder.
3. The Court reserves the sole right to evaluate the bidder's representatives.
4. The Court may select a bidder from those submitting proposals. Said selection shall be made on the basis of the evaluation criteria set forth in this invitation. The name of the evaluation panel members will not be disclosed until the selection of the successful bidder is made. The Court reserves the right to reject all proposals.

5. When the bidder has been selected by the evaluation panel, the Chief Executive Officer, or designee, on behalf of the Court, and the bidder, will negotiate a contract for submission to the Bench or consideration and possible approval.
6. The Court may cancel this project at any time up until the award of the contract, without any cost or obligation. In the event agreement cannot be reached with the selected bidder, the Court reserves the right to select an alternative bidder.
7. The bidder assumes total responsibility for the quality and quantity of all work performed, whether it is undertaken by its own organization or is subcontracted to another.

H. Other

Within their quotations, bidders should define any areas of this Request for Proposals to which they take exception. Bidders should identify the specific part, paragraph and the reason.

I. Additional Data

Material and data not specifically requested for evaluation, but which the bidder feels is essential, must not appear in other proposed sections but may be included in this section. This data may be generalized narrative of a non-specific nature, or promotional material.

If there is no additional data the bidder wishes to present, this section will consist of the statement, "There is no additional data we wish to present."

Attachment: Exhibit A (Insurance Requirements)