

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF SANTA BARBARA**



Invitation for Bid
Alternative Dispute Resolution

Bid Data

Bid Number: 806117
Court Contact: Casie E. Hill, Chief Financial Officer
Superior Court of California, County of Santa Barbara
1100 Anacapa Street, 2nd Floor
Santa Barbara, CA 93101
(805) 882-4682
chill@sbcourts.org
Issued Date: **June 30, 2015**

Bid Due Date:

Time and Date: **5:00 pm PST, July 15, 2015**
Location **Santa Barbara, California**

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Sealed written Responses must be received by Purchasing no later than the date, time, and location indicated above for the Bid Opening.

Note: This Bid does not constitute an order for the services specified.

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Introduction

Thank you for your interest in this bid process. The Superior Court of California, County of Santa Barbara, administers the Court Special Services fund through the County of Santa Barbara. Within this fund, we manage Alternative Dispute Resolution.

This request for bid (RFB) solicits applications from eligible public or private (non-partisan, non-profit) corporations or government entities that will provide contracted, county-funded dispute resolution training and services in Santa Barbara County from **October 1, 2015-June 30, 2017**. All bids to this solicitation must include specific required information and must be filed as an original and three (3) copies at the below address, no later than 5:00 pm PST, on **July 15, 2015**.

The funding available for entities that submit qualifying proposals is currently accruing at the rate of approximately \$70,000 annually (i.e. \$5,833 monthly). The County reserves the option to extend funding for contracts for additional periods beyond June 30, 2017. The County is not obligated to fund the awarded amount in any subsequent fiscal year, nor is it required to allocate all of its annual revenues. Per California Business and Professions Code (BPC) Section 470.2, the County's funding shall not exceed 50% of the approved estimated cost of the program. Therefore, acceptable bids will require a 50% matching basis, whereby the services provided by the project are supported at 50% of the total project cost. Matching funding sources may include private contributions, limited-qualifying services fees charged for services, qualifying volunteer services, and other "in kind" contributions.

The successful applicant must emphasize conflict management/dispute resolution training of community members, community-based volunteer mediation, and community education/outreach. The successful applicant will perpetuate low cost, informal dispute resolution training and services to county residents where there are few meaningful options to maintain community peace. **Individuals who participate in training must also have the opportunity to participate as neutrals and to become trainers in dispute resolution skills. Early intervention is preferred to intervention after a dispute has resulted in a formal case filed with the Superior Court.**

Funding Priorities and Preferences

It is the goal of the County of Santa Barbara and the Dispute Resolution Programs Committee, when recommending and awarding Dispute Resolution Programs Act (DRPA) funds, to promote the use of conflict management and dispute resolution skills throughout the county. The priorities for the disbursement of DRPA funds in Santa Barbara County, and for services provided by contracting DRPA service providers, are as follows:

1. Providing low-cost dispute resolution services at the earliest possible point in conflicts, to increase community peace and to minimize the destructive potential of disputes; developing and utilizing a trained resource group of community volunteers for this purpose. Early intervention shall be encouraged by systematic outreach to public and private service agencies that typically encounter disputes. Disputes that are resolved as early as possible minimize the cost to the community in time, resources, and community cohesion. Accordingly, contractors shall take all reasonable steps to promote the use of DRPA-funded services before disputes consume

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substantial resources from other entities, including public agencies and private organizations. An emphasis shall be placed on minimizing the costs of individual DRPA mediations, which shall not exceed the cost for similar services available elsewhere in the county and state.

2. Providing early, effective, and low cost dispute resolution services to individuals, business groups, public agencies, and other organizations, for settlement of cases already filed in the Courts.
3. Promoting and advocating the use of early and cost-effective dispute resolution services. Continuous community outreach and education shall be provided by Contractor, including radio, television, internet, and print media exposure as well as promotional efforts through various community organizations and their newsletters. Public agencies and private organizations are to be aggressively and continuously solicited for receipt of dispute resolution services, and then served by Contractor. These shall include but are not limited to: government agencies and functions such as animal control, police, sheriff, county planning, city, and county attorneys, and public schools; and private organizations such as bar and trade associations, industry, employers and employee groups, civic service clubs, and community advocacy organizations; as well as any and all other public or private organizations that interact with citizens having potential conflicts that might be best resolved with community involvement.
4. Teaching conflict management skills to as many individuals as possible; promoting and teaching the skills necessary for individuals to resolve disputes on their own. It shall be the goal of fund recipients / contractors to train a broad cross-section of the community in conflict management skills and, in turn, to further develop these community volunteers into skilled trainers themselves. Through face-to-face interaction between disputants, parties in conflict learn to resolve disputes. In training volunteer community mediators to model appropriate conflict management skills, it is expected that disputants will then leave the mediation experience with a greater ability to peacefully handle their own future conflicts without professional intervention.

Services are to be provided on a countywide basis, as equally as possible, for the North county (including Santa Maria, Lompoc, and Solvang) and South county (including Goleta and Santa Barbara) regions. Proposed services must meet all requirements of the Dispute Resolution Programs Act (DRPA), as set forth in California BPC Section 465 et seq., and in Title 16, Division 36 of the California Code of Regulations. To be considered for funding, applicants are required to obtain current copies of these controlling statutes and regulations, to read and understand all requirements therein, and to certify in their application bid that they have done so.

Submit Bid To

Superior Court of California, County of Santa Barbara
Attn: Casie E. Hill, Chief Financial Officer
1100 Anacapa Street, 2nd Floor
Santa Barbara, CA 93101

Three (3) complete copies in a single sealed envelope, clearly marked on the outside with your company name and return address, the bid number, and the due date and time.

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Background and Authority

The Dispute Resolution Programs Act of 1986 (DRPA) as set forth in the California Business & Professions Code Section 465 et seq., provides for the establishment and funding of local ADR Programs. The purpose of the Act is to reduce the economic and personal costs of dispute resolution to individuals and to the public by encouraging the establishment and use of local dispute resolution services as alternatives to formal, adversarial court proceedings. The Act authorizes participating counties to set aside a portion of certain court filing fees for this purpose. The Santa Barbara County Board of Supervisors has adopted a resolution approving the County's participation.

Since FY 1998, the county has funded a countywide agency that focused on community-based mediation and training. Court-connected use of these services includes small claims court, civil harassment/temporary restraining order, juvenile offender/victim, and misdemeanor mediation. All projects funded will be adopted under the provisions of DRPA and pursuant to the California Code of Regulations, Title 16, Chapter 36, and each is hereby incorporated in this RFB.

Goals and Objectives

CONFLICT RESOLUTION SERVICES

Provide countywide, community-based, conflict resolution services, including:

1. Maintenance of Contractor offices and staff in both the North and South regions of the county. Availability of these services, countywide, is essential to continued funding. Contractor's services shall be available during regular business hours between 9:00 a.m. and 5:00 p.m., Monday through Friday. Volunteers may be recruited to assist in providing services to the public. Telephones shall be answered by staff or volunteers during regular office hours. Voicemail service shall be maintained after hours, and during those times when staff is not available.
2. An intake and case development process for information, case review and referral or recommendation of the most appropriate dispute resolution process, providing: (1) referral of those cases not appropriate for these dispute resolution services to an appropriate resource, (2) conciliation services to one or more than one party to assist in self-resolution of the dispute, and (3) face-to-face, multi-party, community mediation.
3. Provision of an average of six (6) to ten (10) mediations per month countywide. These are minimum objectives, and a further objective is to increase mediation activity in both North and South county, while providing approximately equivalent services in both regions of the county.
4. Mediations conducted by trained neutral panels of volunteer and staff mediators, selected to suit the needs of each case, according to best practices in this field.
5. Mediation of disputes in court-related caseloads, including: Small Claims Mediation; Civil-Harassment TRO Mediation; Juvenile Justice (including victim/offender and parent/teen) Mediation; new court-related programs as developed.

ADVOCACY AND OUTREACH

Conduct vigorous community outreach, program advocacy and marketing, in an effort to recruit

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volunteers and to develop cases, including:

1. Contractor shall conduct an average of two (2) presentations per month to private businesses; civic organizations and governmental agencies, including: chambers of commerce, social welfare organizations, trade groups, property owners/managers, and any other groups that may make referrals to Contractor. In selecting groups for these presentations, priority shall be given to organizations that have not been previously addressed. Presentations shall be conducted in person by contractor staff and must include, but are not limited to, contractor's community mediation and training services.
2. Distribution of periodic press releases (or articles) and public service announcements to appropriate local media, followed by telephone calls to individuals in news organizations, if determined necessary to improve the chances of coverage. Such releases, articles and announcements shall strive for originality and creativity, and to avoid repetition and redundancy. Copies of such releases, articles and announcements, along with a list of the media outlets utilized, shall be maintained by Contractor and provided to the County ADR Coordinator at the time of distribution to media.
3. Quarterly telephone contact, and at least one annual meeting, with decision makers in the District Attorney's office (both North and South county offices), the police departments of all cities within Santa Barbara County, the sheriff's department, planning, animal control and other appropriate city and county departments; in order to determine the service needs of these agencies, and to advocate dispute resolution referrals to Contractor.
4. One awareness building activity designed to increase public awareness of Contractor services, including but not limited to, sponsoring a book signing, free community orientation or film festival.

TRAINING AND DEVELOPMENT

Train a broad cross-section of the community in mediation and conflict management skills, and provide volunteer opportunities for trained individuals to refine their skills and to become trainers in those skills, including:

1. A minimum of two (2) training sessions per year, providing approximately equivalent service in both North and South regions of the county.
2. A minimum of ten (10) people shall be trained each year in basic mediation skills. The course shall be a minimum of twenty-five (25) hours long, and shall meet the requirements of the California DRPA guidelines for training mediators. Trainees shall be solicited from all parts of the county.
3. Community members shall be recruited as volunteer mediators, who may receive training scholarships in exchange for a volunteer commitment to Contractor's dispute resolution program. Recruitment efforts shall be designed to ensure that a roster of trained volunteers is always available to mediate client disputes and to provide other volunteer assistance to Contractor.
4. Contractor shall provide continuing education activities for trained mediators, to ensure the evolution of skill levels. This shall include Intermediate, Advanced, and "Trainers in Training"

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education, and also include an opportunity for mediators to expand skills into supervisory and training roles, as appropriate.

DEVELOPMENT OF OUTSIDE SOURCES OF REVENUE

It shall be a priority of the Contractor, as part of their contractual obligation, to seek additional revenue by offering fee-based mediation, conflict management consulting, fundraising activities, and training programs to individuals, governmental agencies, and private businesses or organizations.

PROGRAM ADMINISTRATION; RECORDS AND REPORTING

1. Contractor shall maintain all client and trainee records in a database or other suitable computer record. This data must be current at the end of each quarter, and a declaration stating that it is up-to-date shall be provided to the ADR Coordinator in the quarterly report.
2. Contractor shall track and record the number of conflict resolution mediation activities conducted, by type or category of dispute, including the type of service provided and the outcome, as well as client evaluations of the services provided.
3. Contractor shall track and record the number of advocacy and outreach activities conducted, by region of the county, along with the outcomes of those efforts.
4. Contractor shall track and record the number of training and development activities conducted, by region of the county; including the number of mediators trained, the number of volunteer and other mediators added or deleted from the mediator panel, and trainee evaluations of the training.
5. Contractor shall provide the ADR Committee with a detailed report of services and budget status at the beginning of each quarter, unless the ADR Coordinator provides written permission for less frequent reporting, which shall not be less frequent than semi-annual. The detailed report of services must include a spreadsheet to convey statistical data. Contractor shall provide to the Court's finance department a monthly invoice along with a profit and loss statement to support the request for reimbursement.
6. Contractor shall meet at least two (2) times annually with the ADR Administrator or Coordinator, or with any designated Program Oversight Subcommittee of the ADR Committee; and shall report, explain, and discuss the current status of the following aspects of the Contractor's dispute resolution program, in addition to any other information that may be requested:
 - a. Status, and any changes or trends, in number of trainees, volunteer recruitment, and size of panel of trained and available mediators;
 - b. Success of collaboration with potential clients, public agencies, and private organizations;
 - c. Number of training sessions for community youth, in conflict resolution skills;
 - d. Any improvements or changes in Contractor's case-management tracking system;
 - e. Degree of compliance with all requirements of DRPA, and any variances;
 - f. Any perceived problems or concerns of Contractor in performing under this Contract.



Project Categories: Separate Bids or Components

To assist the County, Court, and the ADR Committee in evaluation and recommendation of bids, and to assist in the comparative evaluation of ongoing projects once they have been funded, each component of a bid shall be fully described (i.e. budget, staffing, etc.) for the following categories of ADR services proposed:

1. Projects/components proposing to provide ADR services to parties who DO NOT now have a court case pending;
2. Projects/components providing community outreach and referral by publishing, speaking, and/or otherwise promoting ADR and referring inquiries or requests for services to other appropriate agencies as necessary;
3. Projects/components proposing to provide ADR services to the courts to resolve pending cases;
4. Projects/components providing ADR education and training of community members (e.g., mediators or conciliators), including training experienced neutrals to train others.

Each category designation must be clearly and separately addressed in the bid. **The county reserves the right to disqualify any bid not conforming to these requirements.**

Funding Criteria and Priorities

ALL bids will also be evaluated and ranked by the degree to which they meet the criteria set forth in the governing statutes and regulations. ALL bids must meet the minimum application requirements of the statutes and regulations (see "Background and Authority"). **All bids not meeting those requirements will be disqualified.**

The Application, Evaluation, and Funding Process

The County intends to encourage bids and to fund projects under this bid, but it reserves the right and sole discretion to reject any and all bids. The ADR Committee makes no assurances that it will recommend, or that the Board of Supervisors will approve any particular project(s) or amount of funding under this RFB. Bids submitted in response to this RFB and all supplementing documentation become the sole property of the County. The County reserves the right to make future use of any and all of the form, substance, and ideas contained in any bid, whether funded or not, without charge or limitation.

After bids are received, opened, reviewed, and summarized by staff, the ADR Committee will evaluate, rank, and recommend to the Santa Barbara County Board of Supervisors for funding projects that best meet the qualifications and priorities of this RFB and the governing legislation and regulations. All applicants will be notified if their bid that has been recommended for funding. The ADR Committee will prepare for signature the successful applicant contract to be presented to the County Board of Supervisors for approval.

All bids/proposals/components must include the following:

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1. A description of the program and services proposed/provided, including spreadsheets that include historical and projected future units of service in (a) actual numbers, (b) percentages of totals, and (c) percentage changes. The numbers must be broken down by region of the county served (e.g., North/South).
2. A thorough explanation of volunteer training program(s), including volunteer recruitment plans, efforts to ensure diversity of the volunteer pool, actual costs of training, and training requirements (that justify any training requirement in excess of the DRPA requirements).
3. The average amount of DRPA funds contributed to each unit of service provided (e.g., [\$1,000/100 conciliations]=\$10 per conciliation). Average actual costs (i.e., including other sources of revenue) would also be helpful.
4. A detailed breakdown of all matching funds (a fundraising plan outline must be included).
5. A detailed marketing plan to demonstrate effective promotion of services, including a schedule/timeline of activities, and demonstrated linkages to other groups and organizations within the county that ensure widespread use and knowledge of ADR services, referral opportunities, and volunteer recruitment.
6. A description of the allocation of services to ensure countywide service availability.
7. A breakdown of all costs for which funding is sought, including an explanation of each item and a rationale for why the cost is appropriate for DRPA funds.

Terms of Program Contract

All applicants are urged to carefully review, and successful applicants will be required by contract to comply with, all statutes and California regulations for this program, including those pertaining to: Grantee management, accounting, and reporting requirements. Program contractors will be required by the contract to deliver the services as described in their successful bid, except as may otherwise be negotiated and agreed in the contract or in subsequent amendments thereto.

In addition to the grantee requirements contained in the governing statutes and regulations, the County will also impose certain additional requirements on the Contractor, as a part of the contract. These include, but are not limited to, the requirement that the Contractor carry one million dollars (\$1,000,000) of liability insurance, unless the criterion for a waiver of this requirement has been met.

The contract period under the ADR Program is for services to be provided during **October 1, 2015-June 30, 2017**. The County reserves the right to negotiate extensions of the contract for additional periods, or convert the contract to a fiscal year timeframe, with qualifying and agreement by the Contractor.