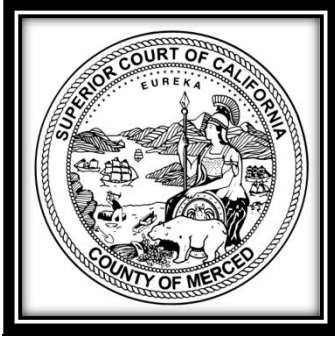


RFP Title: *Alternative Dispute Resolution Services*

RFP Number: 2526-DRPA0626



REQUEST FOR PROPOSALS

***SUPERIOR COURT OF CALIFORNIA,
COUNTY OF MERCED***

REGARDING:

Alternative Dispute Resolution Services

2526-DRPA0626

PROPOSALS DUE:

June 27, 2026, no LATER THAN **5:00 P.M.** PACIFIC TIME

1.0 BACKGROUND INFORMATION

1.1 Summary

The Superior Court of California, County of Merced (“Court”) is issuing this Request for Proposal (“RFP”) to obtain competitive bids from highly qualified service providers. The RFP is to provide Dispute Resolution Services as defined in the Dispute Resolution Programs Acts (California Business and Profession Code, § 465, et seq., “DRPA”). This requires implementing regulations (Title 16 California Code of Regulations §§3600, et seq., “Regulations”) which services parties in resolving disputes without the necessity of formal judicial proceedings.

The Court intends to award one or more contracts for funding under the Court’s Dispute Resolution Program. The contract term will be limited to the funding allocated to this program.

1.2 Background and Authority

The Dispute Resolution Program Act (California Business and Profession Code, § 465, et seq.) provides for the establishment and funding, at county option, of local dispute resolution programs. The purpose of DRPA is to encourage the establishment and use of local dispute resolution services as an alternative to formal court proceedings. The Merced County Board of Supervisors has approved the County’s participation in the program and authorized \$8 from every court filing fee be placed an account to help finance the dispute resolution program. This program will be operated under the provisions of DRPA (Attachment A) and its implementing regulations (Attachment B).

An Alternate Dispute Resolution (“ADR”) Administrative Coordinator will coordinate and oversee the program in Merced County. Under the supervision of the Presiding Judge and Court Executive Officer (“CEO”), the ADR Coordinator also works with an ADR Oversight Committee consisting of local mediation providers, members of the judiciary, members of the bar and community representatives. All of these entities work together to provide direction and set priorities for Dispute Resolution Programs Act (“DRPA”) programs in Merced County.

2.0 DESCRIPTION OF SERVICES AND DELIVERABLES

The Court seeks the services of a person(s) or entity(s) with expertise in mediating small claims, unlawful detainers, mandatory settlement conferences and civil limited and/or unlimited cases. Services are preferred in person but may be provided remotely as appropriate. The successful vendor(s) will provide a Dispute Resolution Program that meets the Court’s specific goals, objectives and priorities as described in section 2.2 through 2.4 of this RFP. Collaboration among service providers is encouraged, therefore joint or tiered proposals will be considered.

2.1 Deliverables

- a. Dispute resolution services for small claims, unlawful detainers, mandatory settlement conferences and civil limited and/or unlimited cases.

- b. General follow up survey information collected from disputants served by the program per California Code of Regulations, Title 16, Chapter 36; and
- c. Monthly activity reports per California Business and Professions Code §471.5:
 - Monthly, provide the number of referrals, categories or types of cases referred to the program;
 - Monthly, provide the number of persons utilizing the process more than once;
 - Monthly, provide the duration of and the estimated costs of the hearings conducted by the programs;
 - Monthly, provide the nature of the disputes resolved; ;
 - Monthly, provide the number of disputants served by the program;
 - Monthly, provide the number of partial and/or complete agreements reached in mediation; and,
 - Monthly, provide the rates of compliance;
- d. Annually provide statistical data regarding the operating budget.
- e. Hold quarterly evaluation meetings with program coordinator to review program compliance, goals and objectives.

2.2 Program Goals

- a. Accommodate Merced County's diverse community by delivering excellent service to resolve early disputes in a timely, efficient manner.
- b. Promote awareness in the availability of meditation services to prospective litigants.
- c. Achieve 100% coverage and timely resolution of all assigned cases in accordance with established deadlines and performance standards.

2.3 Program Objective

- a. Implement and coordinate a dispute resolution program to effectively resolve disputes.
- b. Develop a cooperative dispute resolution program with local providers for continued implementation of mediation services in the local courts.
- c. Utilize the available DRPA funds efficiently and effectively to its maximum potential.

2.4 Program Priorities

- a. Utilization of DRPA funds and the mediation program priorities will be established by the Superior Court Alternative Dispute Resolution Committee appointed by the Presiding Judge of the Superior Court, County of Merced.

2.5 Caseload may vary depending on the needs of the Court.

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
RFP issued	June 3, 2026
Deadline for questions	June 11, 2026
Questions and answers posted	June 17, 2026
Latest date and time proposal may be submitted	June 24, 2026, at 5:00pm
Anticipated interview dates (<i>estimate only</i>)	June 25, 2026
Evaluation of proposals (<i>estimate only</i>)	June 26, 2026
Notice of Intent to Award (<i>estimate only</i>)	June 29, 2026
Negotiations and execution of contract (<i>estimate only</i>)	June 30, 2026
Contract start date (<i>estimate only</i>)	July 1, 2026
Contract end date (<i>estimate only</i>)	June 30, 2029

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: Standard Terms and Conditions	<p>If selected, the person or entity submitting a proposal (the “Proposer”) must sign a Standard Form agreement containing these terms and conditions (the “Terms and Conditions”).</p> <p>The minimum contract terms (“Minimum Terms”) are outlined in this section.</p>
Attachment 3: Proposer’s Acceptance of Terms and Conditions	<p>On this form, the Proposer must indicate acceptance of the Terms and Conditions or identify exceptions to the Terms and Conditions.</p> <p>Note: A material exception to a Minimum Term will render a proposal non-responsive.</p>
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 Court requires in order to process payments and must be submitted with the proposal.
Attachment 7: Bidder DVBE Declaration Form	The Proposer must complete this form only if it wishes to claim the disabled veteran business enterprise incentive associated with this solicitation.
Attachment 8: DVBE Declaration	Each DVBE that will provide goods and/or services in connection with the contract must complete this form. If Proposer is itself a DVBE, it must also complete and sign the DVBE Declaration.
Attachment A: Dispute Resolution Program Act	Dispute Resolution Programs Act Business and Professions Code "465-471.5." for proposer’s reference
Attachment B: DRPA Regulations	California Code of Regulations Title 16, Division 36 “3600-3680” for proposer’s reference
Attachment C: Draft Small Claims ADR Process	Draft of proposed process for Small Claims Alternative Dispute Resolution Process.

5.0 PAYMENT INFORMATION

Payment will be based on the terms and conditions of a fully executed agreement and all attachments and addenda thereto. The Court does not pre-pay for services.

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. The two-part proposal may be submitted physically or electronically per the options below:

A. If submitting a physical version:

i. 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 Court 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.

ii. 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 Court 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.

iii. Proposals must be delivered by the date and time listed on the coversheet of this RFP to:

Merced Superior Court
Attn: Finance RFP#: 2526-DRPA0626
627 W. 21st Street
Merced, CA 95340

iv. Proposals must be sent by registered or certified mail, courier service (e.g. FedEx), secured email, or delivered by hand. Proposals may not be transmitted by fax.

B. If submitting an electronic version:

- i. The Proposer must submit one (1) PDF file of the technical proposal. The original must be signed by an authorized representative of the Proposer. The original technical proposal must be encrypted and submitted to Merced.RFP@mercedcourt.org, separate from the cost proposal. The subject line of the email must be in this format: [Service Provider Name] [RFP Number] – [Technical Proposal].
- ii. The Proposer must submit one (1) PDF file of the cost proposal. The original must be signed by an authorized representative of the Proposer. The original cost proposal must be encrypted and submitted to Merced.RFP@mercedcourt.org, separate from the technical proposal. The subject line of the email must be in this format: [Service Provider Name] [RFP Number] – [Cost Proposal].

6.3 Late proposals will not be accepted.

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. Proposer Information. 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. Designated Representative. 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. References. Names, addresses, and telephone numbers of a minimum of three (3) clients for whom the Proposer has conducted similar services. The Court may check references listed by the Proposer.
- d. Key Staff Members. 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.
- e. Meeting the Minimum Qualifications. The bidder must state specifically in its Technical Proposal how it will comply with each minimum qualification specified in section 10.0 below. Subject to the Court's right in its complete discretion to waive minor deviations or defects, only those proposals that meet all of the foregoing minimum qualifications shall be considered for a full evaluation and a possible contract award.

- f. Proposed Program and Goals and Objectives. Service Provider will describe the organization's proposed program and how it will meet the Court's Goals and Objectives as described in section 2.2 and 2.3.
- g. Project Accomplishments and Methods. Service Provider will list the objectives in quantifiable, measurable, and verifiable terms, indicating specifically what the proposed project will strive to accomplish and the methods contemplated for accomplishing the objectives. **A draft of the Small Claims ADR process is included as a reference. This is a sample of the collaboration that is needed.**
- h. 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.
 - iii. Note: A material exception to a Minimum Term will render a proposal non-responsive.
- i. 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. The Proposer must complete and sign the Payee Data Record Form (Attachment 6) and submit the completed form with its proposal.
 - v. Copies of the Proposer's (and any subcontractors') current business licenses, professional certifications, or other credentials as related to the services that will be provided.
 - vi. Meet the CCR §3608 Grant Application Requirements.

- “(a) In addition to the requirements of section 468.2 of the Act, all applicants shall also provide the following as part of the application for funding:
- (1) A description of the applicant’s organizational structure, including that of any sponsoring or parent organizations;
 - (2) A description of the proposed geographic area of service, the service population, and the number of persons the applicant will have the capacity to serve on an annual basis;
 - (3) A description of the types of disputes to be handled, the types of dispute resolution services to be offered, and any restrictions to be imposed by the program;
 - (4) A description of any fee schedule to be used;
 - (5) A list of civic groups, social services agencies, governmental entities, and justice system agencies available to accept and make referrals to the applicant;
 - (6) A description of the applicant’s plans for publicizing its services to potential referral agencies, courts and justice system agencies, and the public;
 - (7) The applicant’s organizational chart, personnel policies, duty statements, and resumes of all professional staff.
 - (8) A statement that in origin staff, recruiting volunteers, or rendering services, the applicant will not discriminate with regard to race, religious creed, color, national origin, ancestry, physical handicap, medical condition, marital status, sex, sexual orientation or age.
- (b) Pursuant to §470.2 of the California Business and Professions Code, each applicant that shall submit an estimated budget for the grant period. In-kind donations may be reported as anticipated revenue to be derived from sources other than the county revenues generated pursuant to the Act, so long as the requirements of §3640 of these Regulations are satisfied.”

[California Code of Regulations, Title 16, Chapter 36.]

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

- vii. A detailed line-item budget showing total cost of the proposed services.
- viii. A full explanation of all budget line items in a narrative entitled “Budget Justification.”
- i. 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 §§465 et seq. (“B&P”) (Minimum requirements can be met by combining experience, expertise, and resources of Service Provider and any proposed subcontractors)

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 MINIMUM QUALIFICATIONS

To be considered for full evaluation and possible award, bidders must first meet the threshold minimum qualification requirements listed in the following table, according to the California Business and Professions Code.

It is within the discretion of the court to deem the education, experience, and prior training of a mediator sufficient to join the court mediation panel.

Category	Minimum Qualifications
Compliance	<ul style="list-style-type: none">▪ Compliance with California B&P §§465 et seq., and the applicable rules and regulations of the advisory council (See B&P §467.2, Attachment A, attached) and Mediation Guidelines.▪ Comply with ethical standards for neutrals.▪ Comply with minimum qualifications.
Training	<ul style="list-style-type: none">▪ Panel mediators must have completed at least 40 hours of mediation training, including a single 40-hour course, OR▪ Qualify as a mediator for the United States District Court for the Northern District of California or any superior court in a neighboring county, OR▪ Be deemed to have sufficient training within the discretion of the court.
Experience	<ul style="list-style-type: none">▪ At least five civil mediations of either limited or unlimited jurisdiction of at least two hours in length, OR▪ Ten small claims, civil harassment, or unlawful detainers day-of-court mediations referred by the court provided that the applicant also submits a letter of recommendation from the mediation program

	that supervises the day-of-court mediations, verifying that the applicant has demonstrated excellent mediation skills.
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10.0 EVALUATION OF PROPOSALS

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

Per the Business & Professions Code, A program shall not be eligible for funding under this chapter unless it meets all of the following requirements:

1. Compliance with this chapter and the applicable rules and regulations of the advisory council;
2. Provision of neutral persons adequately trained in conflict resolution techniques as required by the rules and regulations promulgated by the advisory council pursuant to Section 471.
3. Provision of dispute resolution, on a sliding scale basis, and without cost to indigents.
4. Provision that, upon consent of the parties, a written agreement or an award resolving dispute will be issued settling out a settlement of the issues involved in the dispute and the future responsibilities of each party.
5. Provision of neutral procedures applicable equally to all participants without any special benefit or consideration given to persons or entities providing funding for the programs.
6. Provision that participation in the program is voluntary and that the parties are not coerced to enter dispute resolution.
7. Provision of alternative dispute resolution is the primary purpose of the program.
8. Programs operating by counties that receive funding under this chapter shall be operated primarily for the purposes of dispute resolution, consistent with the purposes of this chapter (B&P §467.2, see Attachment 4).

The proposals will be evaluated to determine the proposal(s) that offers the best value to the Court. 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 the intent to award notice at <http://www.mercedcourt.org/vendors.shtml>.

Although some factors are weighted more than others, all are considered necessary, and a proposal must be technically acceptable in each area to be eligible for award.

With regards to cost, the Court reserves the right, in its sole discretion, to reject any proposal whose price is outside of the competitive range.

CRITERION	MAXIMUM NUMBER OF POINTS
General organizational ability and competence (including management effectiveness and financial soundness)	20
Ability to meet Court Goals and Objectives (including feasibility, creativity and scope of plan)	25
Cost	35
Ability to develop broad financial support (including likelihood of eventually lessening reliance on Court funding)	7
Credentials of staff to be assigned to the project	10
Disabled Veteran Enterprise Incentive	3

11.0 INTERVIEWS

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.

12.0 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.

13.0 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 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 11.0 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. Or, for solicitations of non-IT goods and IT goods and services, Proposer may have an approved Business Utilization Plan (“BUP”) on file with the California Department of General Services (“DGS”).

If Proposer wishes to seek the DVBE incentive:

1. Proposer must complete and submit with its proposal the Bidder Declaration (Attachment 7). Proposer must submit with the Bidder Declaration all materials required in the Bidder Declaration.
2. Proposer must submit with its proposal a DVBE Declaration (Attachment 8) 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. **NOTE:** The DVBE Declaration is not required if Proposer 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 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 this solicitation is for IT goods and services, the application of the DVBE incentive may be affected by application of the small business preference. For additional information, see the Court's Small Business Preference Procedures for the Procurement of Information Technology Goods and Services.

If Proposer receives the DVBE incentive: (i) Proposer will be required to complete a post-contract DVBE certification if DVBE subcontractors are used; (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 MISREPRETATION 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.

14.0 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 the proposal due date. Protests must be sent to:

Superior Court of California,
County of Merced
Attn: Finance
627 W. 21st Street
Merced, CA 95340