



**THE
STATE BAR
OF CALIFORNIA**

DEPARTMENT OF PROCUREMENT

180 Howard Street, San Francisco CA 94105
Phone (415) 538-2339 Fax (415) 538-2389

October 10, 2003

Richard M. Ewaniszyk, Esq.
Executive Committee, The Other Bar
The Hegner Law Firm
14350 Civic Drive, Suite 270
Victorville, CA 92392

Re: Lawyers Assistance Program Peer Support RFP

Via Fax to 760-245-6210 and U.S. Mail

Dear Mr. Ewaniszyk:

We are in receipt of your letter dated October 8, 2003 in connection with the Lawyers' Assistance Program RFP for peer support and related services. The State Bar responds to that letter as follows.

The status of the parties is to be determined in contract negotiation. The State Bar does not typically use the RFP process in an employment search.

The State Bar may reject any or all proposals. This includes those with material deviations as well as those with immaterial deviations.

Section II.I. of the RFP will be revised and an amended RFP posted.

The time quantity referred to in III. A. 1. is an estimate. Proposers are welcome to include material to justify their own estimate of the hours required.

The third bulleted item in III.A.1. does not require a proposer to provide callers with transportation in every case. Proposers are welcome to indicate the extent, if any to which they are able to promise to provide such assistance. Proposals offering more assistance will be favored over those offering less.

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Nothing in III.A.2 or otherwise in the RFP is intended to permit any breach of confidentiality whatsoever. The LAP program itself is governed by strict confidentiality rules (*cf.*, B&P Code §6234). Proposers are encouraged to offer creative proposals to meet the State Bar needs without breaching any internal rules, including any rules of confidentiality.

Proposers may set conditions on recommending recovering attorneys to serve on the LAP evaluation committee pursuant to III.A.4.

Section III.B. of the RFP will be revised and an amended RFP posted.

Nothing in III.A.8. or otherwise in the RFP is intended to permit any breach of confidentiality whatsoever. The LAP program itself is governed by strict confidentiality rules (*cf.*, B&P Code §6234). Proposers are encouraged to offer creative proposals to meet the State Bar needs without breaching any internal rules, including any rules of confidentiality, and to describe the information, if any, they would be able to furnish about each contact. A narrative report is not required.

Proposers are welcome to propose limitations on the time length of the monitoring requested in the ninth item of III.A.8.

The typographical error in the numbering of the subsections of III.A will be corrected and an amended RFP posted.

The administrative records to be retained III.A.8. are those “regarding project performance.”

At this time, the State Bar is requesting proposals for a one-year pilot project.

Proposers are welcome to reserve for future negotiation any of the contracting terms in §IV. of the RFP that they find unacceptable. Proposals agreeing to all or most of those terms without revision will be favored in the evaluation process.

Your letter of October 8 and this response will be posted or sent with the amended RFP, revised in accordance with the above.

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We appreciate your interest in this project and look forward to receiving a proposal from
The Other Bar.

Sincerely,

Bill Brauer
Procurement Officer

BB/em