Regulation Division's Annual Renewal Process Q&A

Budget

1. Has a budget range or not-to-exceed amount been established for the Initial Term, and may scope areas be phased across separate statements of work with independent pricing?

   Answer: There is no budget or not-to-exceed amount established. We anticipate this being a one-time project and all proposed costs should be included in the proposal.

2. Should Attachment B be priced as a fixed fee by deliverable, a fixed fee by scope area, or on a time-and-materials basis?

   Answer: The State Bar is open to pricing proposals structured as fixed fee by deliverable, fixed fee by scope area, or time-and-materials. Bidders should propose the pricing approach they believe is most appropriate for the work.

3. Is there a cost threshold the State Bar uses to define "low-cost" or "tactical" technology enhancements?

   Answer: For purposes of this engagement, the State Bar generally considers "low-cost" or "tactical" technology enhancements to be those that can be implemented without additional FTEs and with minimal system development effort, typically utilizing off the shelf products. The State Bar is primarily interested in recommendations that can be implemented using existing staff resources and operational capacity, while recognizing that vendors may identify opportunities requiring different levels of investment.

4. Has the State Bar set a budget or not-to-exceed amount for the Initial Term? If so, can it be shared with bidders?

   Answer: See answer 1.

5. Attachment B (Itemized Cost Proposal): Should pricing be shown as a fixed price per deliverable, as hourly rates by labor category, or both? Should optional or add-on services be entered on Attachment B or priced in a separate schedule?

Answer: The State Bar is open to a variety of pricing approaches. Bidders may provide pricing as a fixed price per deliverable, hourly rates by labor category, or both, as appropriate for their proposed methodology. Optional or additional services may be included separately and clearly identified in the cost proposal.

6. Is there an estimated budget or a not to exceed amount for the Initial Term?

   Answer: See answer 1.

7. Attachment B is referenced in the RFP but not included in the RFP document. Could you confirm where bidders can download the native files?

   Answer: We are not providing a template, please submit your own itemized cost proposal titled as Attachment B in (.xls) format detailing fees by task and personnel and any anticipated reimbursable expenses. Travel expenses, if applicable, will be reimbursed in accordance with the State Bar's Travel and Business-Related Expense Policy.

8. Attachment B, the Itemized Cost Proposal (.xls), is listed in Section III.B but isn't posted on the business opportunities page. Will it be posted, or should bidders send their own itemized sheet?

   Answer: See answer 7.

9. Travel (Submission Requirement #6): Should anticipated travel be included in the proposed price, or listed separately as an estimated reimbursable amount under the State Bar's Travel and Business-Related Expense Policy?

   Answer: Listed separately as an estimated reimbursable amount. Travel expenses, if applicable, will be reimbursed in accordance with the State Bar's Travel and Business-Related Expense Policy.

Implementation

10. Does the State Bar anticipate a separate implementation procurement following this assessment RFP, and would the vendor selected here be eligible to compete for that implementation RFP?

    Answer: The State Bar does not currently plan to issue a separate implementation procurement following this assessment RFP; however, that remains a possibility. If a separate implementation procurement is issued, the

vendor selected through this assessment RFP would not be eligible to compete.

11. Given the anticipated February 2027 start date, may the vendor observe the 2027 renewal cycle as it occurs (staff workflows, Contact Center peak periods, and licensee activity), or should the assessment rely on data from prior cycles? Is the State Bar targeting the 2028 cycle for implementing recommendations?

    Answer: The project timeline is strategically designed to enable the selected vendor to observe the 2027 renewal cycle, including staff workflows, Contact Center peak periods, and licensee activity. In addition, the State Bar will provide historical data from prior renewal cycles to support the assessment. Yes, the State Bar anticipates using the assessment findings and recommendations to inform improvements and potential implementation activities beginning with the 2028 renewal cycle.

12. The anticipated February 2027 start coincides with the 2027 renewal period. Will the vendor be able to observe live renewal operations (Contact Center, DOR inquiry handling) during that period? For Scope Area 4, does the State Bar expect intervention testing to be designed for the 2028 renewal cycle, or carried out within the Initial Term?

    Answer: See answer 11.

13. The 2027 renewal period overlaps the February 2027 start. Should the vendor plan to observe or test anything during the 2027 cycle, or should the Scope Area 4 testing plan target the 2028 cycle?

    Answer: See answer 11.

14. Would the selected vendor be eligible to perform implementation work on accepted recommendations under future Statements of Work, or does the State Bar intend to procure implementation separately?

    Answer: See answer 10.

Systems

15. What licensee-level data will be provided, in what form, and will read access to MSBP, HubSpot, and Engage for Amazon Connect be granted? Specifically, will the State Bar provide historical late-completion counts by requirement and licensee segment, inquiry and call volume data, noncompliance penalty amounts and collections, and suspension counts, and for how many renewal cycles?

Answer: The State Bar anticipates providing the selected vendor with extensive licensee-level and operational data necessary to perform the assessment. This is expected to include historical renewal and compliance-related data, such as late-completion trends, inquiry and call volumes, noncompliance penalties and collections, suspension data, and other relevant metrics. The vendor will be granted appropriate read-only access to systems including MSBP, HubSpot, and Engage for Amazon Connect. Historical data from prior renewal cycles will also be made available to support the assessment and analysis.

16. Will call recordings, call transcripts, or free-text HubSpot inquiry fields be available for qualitative analysis, and if so, under what handling conditions (for example, de-identified or accessible only on State Bar systems)?

    Answer: The State Bar anticipates providing the selected vendor with access to relevant data sources needed to perform the assessment, including free-text inquiry data from HubSpot. Additional materials, such as call recordings and transcripts, may be available as appropriate and subject to applicable access, security, and data-handling requirements. Data access protocols and handling conditions will be finalized during project initiation.

17. Are any changes to MSBP, HubSpot, or Engage for Amazon Connect already planned for the 2027 or 2028 renewal cycles that recommendations should account for?

    Answer: The State Bar continuously evaluates and implements incremental improvements to its systems and processes. However, no major changes to MSBP, HubSpot, or Engage for Amazon Connect are currently planned prior to the selected vendor beginning work under this engagement. The vendor's assessment and recommendations will help inform future enhancements and improvement priorities.

18. What data can the selected vendor receive for analysis, for example completion dates by renewal requirement, late penalty records, HubSpot inquiry exports, Amazon Connect call data and email send and open data, and will it be de-identified?

    Answer: The State Bar anticipates providing the selected vendor with access to a broad range of data necessary to perform the assessment, including renewal completion data, compliance and penalty information, inquiry and contact center data, communication metrics, and other relevant operational datasets.

Data will be provided in accordance with applicable security, privacy, and contractual requirements. Data access and handling protocols, including any requirements related to de-identification, will be finalized during project initiation.

19. Scope Area 2: For how many prior renewal cycles will the State Bar provide de-identified data extracts? We are interested in the following:
    - HubSpot inquiry records, including both inquiry forms
    - Engage for Amazon Connect contact records: volumes, hold times, abandonment and callback data, and Contact Lens analytics if enable
    - MSBP renewal task-completion timestamps
    - noncompliance penalty and suspension data

    Answer: Hubspot data would be available from the middle of 2024 to present. For the rest of the data the State Bar will need to work with IT to make the data available.

20. Will the selected vendor receive read-only access to HubSpot and Amazon Connect configuration, and to an MSBP test or demonstration environment, to support the System Interaction Summary?

    Answer: Yes. The selected vendor will be provided with appropriate read-only access to relevant systems, including HubSpot and Amazon Connect, as well as access to an MSBP test or demonstration environment, as needed to support the assessment and development of the System Interaction Summary. Access will be provided in accordance with applicable security and access requirements.

Licensee and stakeholder engagement

21. What is the minimum number of licensees the vendor must contact, through what channels, and what is the approval timeline for research instruments? Will the State Bar send recruitment communications under its own name?

    Answer: The State Bar has not established a minimum number of licensees that must be contacted as part of this engagement. The State Bar is interested in each vendor's proposed approach to stakeholder research, including recommended sample sizes and communication channels. The State Bar will review and approve research instruments in a timely manner to support project milestones and keep the project on schedule. The State Bar is open to various approaches for participant recruitment and communications, including communications sent by the State Bar, the vendor, or a combination of both, as appropriate.

22. Are participant incentives (e.g., gift cards procured and distributed by the vendor) permitted for surveys, interviews, or focus groups?

    Answer: Yes. Please indicate in the proposal if this is included with your costs.

23. Must licensee engagement activities be offered in languages other than English? If so, which other threshold language(s) are required?
    Answer: No.

24. Scope Area 3: Will the State Bar distribute surveys and invitations through its own channels, or provide contact lists for the vendor to field them directly? What review and approval period should bidders plan for research instruments? Are participant incentives permitted?

    Answer: The State Bar is open to a variety of approaches for participant recruitment and survey distribution. Depending on the proposed methodology, communications may be distributed through State Bar channels, directly by the vendor, or through a combination of both. The State Bar will review and approve research instruments in a timely manner to support project milestones and keep the project on schedule.

25. Will the State Bar facilitate introductions to local and specialty bar associations and firm administrators?
    Answer: Yes.

Behavioral, incentive, and noncompliance penalty analysis

26. Changes to noncompliance penalty amounts may require Supreme Court rule, Board, or statutory action. Which applies, and is the vendor expected to assess that pathway or only recommend the substance?

    Answer: The vendor is expected to recommend potential changes to noncompliance penalties based on the assessment findings. Evaluation of any required approval or implementation pathways is not within the scope of this engagement.

27. Scope Area 4 calls for a plan to test priority interventions, such as randomized or A/B testing of communications. Is the vendor expected only to design the testing plan, or also to conduct pilot tests during the contract term?

    Answer: The RFP contemplates development of a testing and evaluation plan for priority interventions, including proposed metrics and methodologies. The State Bar is not currently requiring vendors to conduct pilot tests as part of the scope of work.

28. Scope Area 4: Should penalty options include changes that would require statutory amendment or a California Rules of Court change, or only changes within the Board of Trustees' authority? Will the State Bar provide the history of the penalty schedule and related revenue data?

    Answer: The vendor may recommend potential changes to noncompliance penalties based on the assessment findings, including options that may be outside the Board of Trustees' authority. The State Bar anticipates providing relevant historical penalty and revenue data to support the assessment.

Team and staffing

29. Submission Requirement 2 calls for a project director or key personnel who is a behavioral economist or has comparable expertise in behavioral science, decision science, or systems analysis and design. Would the State Bar consider expertise in industrial-organizational psychology or organizational systems design to be comparable, where the individual has demonstrated experience diagnosing system-level problems and designing incentives or interventions that change behavior? Must this individual hold the project director role, or is key personnel status sufficient? Is a specific academic credential required, or is demonstrated applied experience sufficient?

    Answer: Yes. The State Bar considers expertise in industrial-organizational psychology, organizational systems design, and similar disciplines to be comparable, provided the individual has demonstrated experience analyzing system-level challenges and designing behavioral or process interventions. This individual may serve as key personnel and is not required to be the project director. A specific academic credential is not required; demonstrated applied experience is sufficient.

30. Who will serve as the State Bar's executive sponsor, and what level of staff availability from DOR, OPTL, and IT should the vendor plan for, particularly during the renewal period?

    Answer: The State Bar's executive sponsor will be the Deputy Executive Director. The State Bar will ensure appropriate staff availability throughout the engagement, including access to key personnel from relevant business and technical teams, particularly those with significant institutional knowledge.

31. Submission Requirement #2: Can the required behavioral economist (or comparable expertise) be named key personnel provided by an approved subvendor, with the prime contractor's Project Director retaining overall responsibility?

    Answer: Yes.

32. Can the behavioral economist (or person with comparable expertise) required in Section III.A, item 2, be key personnel from a proposed sub vendor rather than an employee of the bidder?

    Answer: Yes.

33. Are the current noncompliance penalty amounts set by statute, Rule of Court or State Bar rule, and should recommendations include options that would need legislative or Supreme Court action?

    Answer: The current noncompliance penalties are generally set by State Bar rule and no legislative or Supreme Court action is required. The one exception is the nonpayment suspension reinstatement fee, which differs from the penalty for late payment, is limited by statute. Per Bus. & Prof. Code § 6143, the nonpayment reinstatement fee may not exceed double the amount of delinquent dues, penalties, or costs. This fee is currently set at $300.00 or double the delinquent amount, whichever is lesser, so no legislative action is required unless we need to eliminate the "double the delinquent amount" limitation.

Evaluation and submission

34. The evaluation tables list Categories A, C, D, and E. Is there a Category B, or is the scoring complete as published?

    Answer: There is no Category B. The omission is a typographical error, and the evaluation scoring is complete as published in the RFP.

35. Stage 2 is titled "Demonstrations and Final Evaluation," but only oral interviews are described. What, if anything, should finalists be prepared to demonstrate?

    Answer: Stage 2 will primarily consist of oral interviews and follow-up discussions. Finalists should be prepared to discuss and elaborate on their proposed approach, methodology, and qualifications. The State Bar may request additional information or examples related to a bidder's proposal as part of the evaluation process.

36. For Submission Requirement 9, may a privately held firm submit comparable financial statements in place of an annual report, and may those statements be designated confidential?

    Answer: The most recent year's annual reports, or comparable document, including detailed current profit and loss, assets and liabilities, and other relevant financial data is requested. Submit your proposal with clear marks of confidential labels and a redacted document of your submission. Include the specific justification and legal authority for each redaction and why you believe the information is exempt from the California Public Records Act.

Generative AI

37. How will the State Bar treat routine AI-assisted analysis and drafting under the Requirement 13 disclosure, and where can bidders obtain the Vendor AI FactSheet?

    Answer: Vendors should disclose any routine AI-assisted analysis, drafting, or similar uses in the Vendor AI FactSheet. The Vendor AI FactSheet can be obtained here: https://www.calbar.ca.gov/about-us/business-opportunities.

38. Submission Requirement #13: Would the following use be acceptable, provided it is disclosed? Enterprise GenAI tools used only for internal support tasks, such as

transcribing interviews or first-pass thematic coding of open-ended responses, with:

- no data retention
- no model training on State Bar data
- human review of all outputs
- all deliverables authored by the vendor team

Answer: While the State Bar will not provide formal approval of specific AI uses through this Q&A process, the type of use described, when properly disclosed and subject to appropriate safeguards, is consistent with approaches the State Bar has approved in past contract discussions. Vendors should disclose any proposed AI use in their Vendor AI FactSheet.

39. Is any disclosure format required beyond the Vendor AI FactSheet?

    Answer: No additional disclosure format is required at the proposal stage beyond the Vendor AI Factsheet. The Factsheet serves as the State Bar's initial review of proposed AI use. If selected, the vendor will be required to comply with the AI-related terms and requirements included in the contract.

40. If disclosed in the Vendor AI Factsheet, may the selected vendor use business generative AI tools on de-identified State Bar data under terms that bar training on it?

    Answer: The State Bar will not provide formal approval of specific AI use cases through the Q&A process. Vendors should disclose any proposed AI use in the Vendor AI Factsheet. Proposed uses of AI, including use with de-identified data, will be evaluated as part of the State Bar's review process and any applicable contractual requirements

Insurance

41. Section IV.F.2 requires subvendors to carry the same insurance as the vendor. For an individual subvendor, such as an independent consultant or university-affiliated expert, will the State Bar accept reduced requirements (for example, professional liability only), provided the prime contractor maintains all required coverage in full?

    Answer: As permitted by Section III.A.15, a potential vendor may submit proposed exceptions, modifications, or additions to the insurance terms. The insurance terms apply fully to subcontractors of the vendor. Each must carry insurance sufficient to meet the insurance terms.

42. Section IV.F.1(iv) and (v): Will a combined Technology Errors & Omissions / Privacy Security–Cyber policy satisfy both requirements, if its shared limit meets or exceeds the combined required limits?

    Answer: As permitted by Section III.A.15, a potential vendor may submit proposed exceptions, modifications, or additions to the insurance terms. The insurance terms apply fully to subcontractors of the vendor.

43. Will the State Bar consider lower insurance limits than those in Section IV.F for this engagement, in particular the $5,000,000 umbrella, or should bidders list requested changes in the redline under item 15?

    Answer: As permitted by Section III.A.15, a potential vendor may submit proposed exceptions, modifications, or additions to the insurance terms. Please submit them as redlines.

Other

44. Apart from the five-page executive summary, are there page limits or formatting requirements (font, margins) for the proposal? Will interviews the week of December 14 be held virtually or in person?

    Answer: Other than the five-page limit for the Executive Summary, the RFP does not establish specific page limits or formatting requirements (e.g., font size or margins) for the proposal. Proposals should be prepared in a clear, concise manner and should emphasize completeness, clarity, and responsiveness to the RFP requirements.

    Interviews anticipated during the week of December 14, 2026 will be conducted virtually.

45. Does item 12's proof of good standing and qualification to do business in California apply to LLCs, and is it due with the proposal or before contract execution?

    Answer: State Bar requires vendors to be in good standing in California found here: https://bizfileonline.sos.ca.gov/search/business, we may continue the process if the registration is completed prior to contract execution. Please make sure you submit with your proposal the official registration confirmation that demonstrates the process to register is in progress.

46. How much of the work needs to be on site in San Francisco or Los Angeles, and can Stage 2 interviews be held by video?

Answer: Vendors are welcome to propose the approach they believe is most effective. The State Bar is comfortable with a fully remote engagement and does not anticipate a requirement for on-site work in San Francisco or Los Angeles. Stage 2 interviews may be conducted by video conference.