



ADMINISTRATIVE OFFICE OF THE COURTS
MARYLAND JUDICIAL CENTER
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Questions/Responses #1

K14-0056-25B

CIRCUIT COURT MEDIATOR COACHING PILOT PROJECT

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Ladies and Gentlemen:

The following questions for the above referenced RFP were received by e-mail and are answered and posted for all prospective Offerors. The statements and interpretations contained in the following responses to questions are not binding on the Judiciary unless the RFP is expressly amended. Nothing in the Judiciary's response to these questions is to be construed as agreement to or acceptance by the Judiciary of any statement or interpretation on the part of the Offeror asking the question.

- Question:** For each mediator to be observed, what is the estimated length of time of the mediation session that we will be expected to observe?
Response: Each mediation observation must be at least 90 minutes long to provide adequate opportunity for the mediator to demonstrate his or her abilities. Mediation sessions are commonly scheduled for 2-hour increments, although it's possible they could go longer on occasion.
- Question:** Will any of the mediation sessions to be observed take place at locations other than the Circuit Courthouse for each of the counties in the pilot program?
Response: Yes. Mediation sessions might occur at the Circuit Courthouse, but they are more likely to occur at the mediator's office or other agreed-upon location.
- Question:** It appears that all the mediation sessions to be observed will be occurring in the Maryland Judiciary's Second Circuit. Will there be an opportunity to schedule the mediations to be observed within several consecutive days so we can efficiently conserve travel time?
Response: While it might be possible to schedule some mediation sessions close together, cases may not be delayed for this purpose, and the court cannot guarantee that this would happen.
- Question:** Are you able to tell me whether the position is full time or part-time and what the compensation would be?
Response: It's not a position; it's a contract for services. The successful Offeror would be expected to conduct the required observations, coaching, and reports in whatever amount of time is necessary to do so. Compensation will be based upon the proposed hourly rate.
- Question:** Will the RFP limit the pilot project to local instate bids only?
Response: No, it is not limited to in-state bids.
- Question:** How will the candidates be selected?
Response: This is to be determined and would have to be decided in concert with each court. We are open to suggestions.

7. **Question:** Is it voluntary or will the court coordinator select them?

Response: Mediators are required under Title 17 to participate in observations. Court coordinators will be involved in selecting candidates for observation or setting up the system for making selections.

8. **Question:** If selected by a court coordinator how will you maintain confidentiality? If there are five counties I would assume four mediators for each court. Seems to me this would be hard to keep confidential even if no names or other identifying characteristics are used.

Response: Each mediator will receive an individual feedback report. Only aggregate data will be reported to the courts, not individual observations.

9. **Question:** Even if it is voluntary, who will select the candidates?

Response: See above.

10. **Question:** Related to the above, if a court mediator needs a second assessment is that voluntary or cannot be required by the assessor?

Response: As stated in the RFP, follow-up observations may be offered but will not be required.

11. **Question:** At the end of the project the assessor is to give/make recommendations about potential training programs that would aid in the development of court connected mediators. Will this recommendation be for the circuit or each individual court?

Response: Where there are common needs, the recommendations should be made for the circuit; where there are court-specific needs, the recommendations should be made for the individual court.

12. **Question:** Am I correct that the observation/assessment/coaching will be done in the usual workspaces of the court mediators (as opposed to the necessity for me to coordinate available space in each of the court jurisdictions)?

Response: Correct. The observation/assessment/coaching will occur in the usual workspaces of the court mediators. The Contractor will not be responsible for securing space.

13. **Question:** The RFP indicates that I must use an assessment tool which is approved by MACRO. How can I know what they will approve until after the RFP is delivered? I have been part of a prior project approved by AOC/MACRO which used the assessment tool I will be proposing. Is that a sufficient indication that it is an acceptable assessment tool?

Response: You must propose and provide a copy of assessment and reporting tools, which will be part of how the overall proposal is evaluated. Acceptance of the proposal will indicate that MACRO and the courts believe the tools are acceptable or only need minor tweaks to become acceptable.

14. **Question:** Is it possible that the person(s) awarded the contract (the "Contractors") may be asked to observe up to 20 mediator pairs, which means that the Contractors may actually observe up to 40 mediators and not just up to 20 mediators?

Response: It is technically possible, but very unlikely. Few of the courts use co-mediation on a regular basis.

15. **Question:** If the Contractors observe a mediator pair, will the Contractors be expected to give feedback and coaching to both of the mediators in the mediator pair, and will the Contractors be expected to give that feedback and coaching individually or in the presence of both of the mediators? If in the presence of both mediators, are there any concerns about confidentiality and the privacy of each mediator being observed and coached?

Response: If the Contractors are asked to observe a pair, they will be expected to give feedback and coaching to both mediators. Matters of co-mediators' performance as a team should be addressed jointly; the Contractors may exercise their best judgment as to whether individual feedback should be given separately or together. Even if the mediators are co-mediating, the Contractors are being paid on a per-mediator basis, so

each member of the pair must receive complete, individualized feedback. If the Contractors are asked to observe only one member of a co-mediation pair, feedback would be required solely for the one mediator being observed.

16. **Question:** If the Contractors are asked to do a follow up observation of a mediator who the Contractors first observed as part of a mediator pair, will the Contractors be expected to observe the mediator as part of the same mediator pair or possibly part of a different mediator pair or even as an individual mediator?

Response: Any of the three scenarios is possible. Preferably, the follow-up observation would occur under the same conditions (as part of the same mediator pair), but that might not always be possible.

17: **Question:** Since Attachment D to the RFP directs Offeror's Financial Proposals to quote a dollar amount per mediator, will that dollar amount be paid twice if a mediator pair is being observed or will observing a mediator pair be treated the same as observing a single mediator for payment purposes?

Response: As noted under Question 15 above, payment is on a per-mediator basis, so if two mediators are being observed as they co-mediate, it will be treated as two mediators for purposes of payment. In such a situation, it would be important for the Contractor to ensure that both mediators are receiving a full and complete observation, feedback, and coaching.

18. **Question:** As a sole proprietor I am not required to carry workers compensation coverage. How will this affect my application?

Response: We cannot relax the submission requirements on an individual basis. Submission of insurance documentation will not be required until 10 days AFTER award.

19. **Question:** Similarly, while I carry liability insurance for my own premises and my automobile and have health insurance coverage, how can I carry liability insurance for someone else's premises? (Under the assumption that I will be observing candidates either in the courthouse or in their workspaces)?

Response: See response to Question 18

20. **Question:** Is it required to submit financial information or insurance certificates for this RFP?

Response: Yes, financial information is required with proposal submission, insurance 10 days after award

21. **Question:** We anticipate submitting a joint proposal with each of us being sole proprietors working cooperatively under the business name of Balanced Coaching & Conflict Management. Is there any problem with submitting a proposal in this form using both of our individual Social Security Numbers?

Response: The Judiciary will only contract with one prime contractor represented by one FEIN or SS number

Issued by Karen Hoang
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