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| --- | --- |
|  | REQUEST FOR PROPOSALS   |
| **Judicial Council of California, Human Resources****REVISION No. 2****Revised April 7, 2017****Regarding:Upgrade/Implementation of Oracle/PeopleSoft HCM to Version 9.2****RFP NO: HR-HREMS-2017-03-ML****PROPOSALS DUE:** **April 21, 2017** no later than **12:00** p.m. Pacific time  |

**1.0 BACKGROUND INFORMATION**

* 1. The Judicial Council of California (Judicial Council), chaired by the Chief Justice of California, is the chief policy making agency of the California state judicial system. The California Constitution directs the council to improve the administration of justice by surveying judicial business, recommending improvements to the courts, and making recommendations annually to the Governor and the Legislature. The council also adopts rules for court administration, practice, and procedure, and performs other functions prescribed by law. The Judicial Council is the staff agency for the council and assists both the council and its chair in performing their duties.
	2. The Judicial Council Human Resources office provides full service human resources support to all state level judiciary agencies (SLJ) which include: the staff of the Judicial Council, the California Supreme Court, the six Appellate Courts, the Habeas Corpus Resource Center and the Commission on Judicial Performance. These agencies are located throughout California and includes a user population of an estimated 2000, non-unionized, justices and employees.
	3. The State Level Judiciary agencies utilize the California State Controller’s Office system for payroll needs and CalPERS for benefits administration and neither of these systems interface with the Judicial Council’s Oracle/PeopleSoft system, nor will future automated interfaces with the State Controller’s office or CalPERS system be a part of the scope of this request for proposal. Judicial Council staff perform separate data entry in to the external payroll and benefit systems. Payroll and Benefit information is **not** contained in the current Judicial Council’s PeopleSoft system.
	4. *Technical Information*

The Judicial Council has been utilizing PeopleSoft since 1992 and went live on its current PeopleSoft system, version 9.0, PeopleTools 8.52 in 2010 and utilizes the following modules: Human Resources (including Training enrollments), Position Management, Candidate Gateway, Talent Acquisition Manager, eDevelopment, and other Manager and Employee Self Service features. Please see **Attachment 8**, Additional Technical Information

**2.0 DESCRIPTION OF GOODS AND/OR SERVICES**

2.1 The Judicial Council seeks the services of a person or entity to assist the Judicial Council with upgrading its Oracle/PeopleSoft Human Resources and Education Management System (HREMS) from version 9.0, PeopleTools 8.52 to the version 9.2, PeopleTools 8.55 (or the latest available at the start of the project) as well as implementing new modules. The purpose of the upgrade/implementation is to:

* Remain on a supported version of Oracle/PeopleSoft;
* Reduce existing customizations to the extent possible;
* Determine if existing organizational system department tree setup within current PeopleSoft Core HR is recommended based on current organizational structure;
* Perform technical upgrade of remaining customizations;
* Automate existing manual timekeeping, automate leave balance tracking and performance management processes;
* Evaluate and implement new functionality, including mobile functionality;
* Achieve meaningful knowledge transfer for the final system in production such that the Judicial Council can continue to support the system without significant long-term support from the vendor after the customary post implementation support phase of the project;
* Completion of the project within the agreed upon budget, scope, and schedule of approximately 15 months in its entirety.

2.2 The Judicial Council is pursuing a technical and functional upgrade support that includes, but is not limited to:

* Identifying various project approaches;
* Develop a project plan based on the selected project approach for the upgrade and implementation of new modules;
* Provide technical, functional, and project management resources as outlined in the proposed project plan and agreed to by the Judicial Council that supplements Judicial Council resources that will be assigned to the project and that ensures optimal integration of effort between the Judicial Council and Proposer;
* Conduct a Fit/gap analysis
* Design, configure, develop, test and knowledge transfer to Judicial Council HREMS staff (see **Attachment 9**, HREMS Resources).
* Change Management support as a key implementation strategy of the project ranging from basic project communication, assessing and assisting with organizational impacts of the new system, user training, knowledge transfer monitoring, etc.

2.3 Scope of Oracle/PeopleSoft Modules:

* The upgrade will include the following current Judicial Council HREMS modules on version 9.0:
	+ - Human Resources
		- Position Management
		- Talent Acquisition Management
		- Candidate Gateway
		- Manager and Employee Self Service
		- User Productivity Kit (UPK)
* Implementation Support is needed for the following PeopleSoft modules:
* Any new functionality associated with the upgrade of the above modules (including Workcenters, Dashboards, mobile features) and implementation of the below new modules.
* ePerformance
* Time and Labor
* Absence Management

Proposers may offer on-site resources, or a blend of on-site and off-site resources. This request is for a Fixed Fee (not Time & Materials) proposal.

**3.0 TIMELINE FOR THIS RFP**

The Judicial Council has developed the following list of key events related to this RFP. All dates are subject to change at the discretion of the Judicial Council.

| **EVENT** | **DATE** |
| --- | --- |
| RFP issued: | **March 17, 2017** |
| Deadline for Proposer’s written questions to solicitations@jud.ca.gov  | **March 24, 2017** |
| Pre-proposal Telephone Conference Call *(attendance is optional)* Dial 1-877-820-7831, PASSCODE 109630 | **March 22, 2017****at 2:30 pm (Pacific Time)** |
| Questions and answers posted at [www.courts.ca.gov/rfps.htm](http://www.courts.ca.gov/rfps.htm) | **March 30, 2017** |
| Latest date and time proposal may be submitted  | **April 21, 2017** **No later than 12:00 pm (Pacific Time)** |
| Evaluation of Technical proposals ***(estimate only)*** | **April 24- May 8, 2017** |
| Anticipated interview dates ***(estimate only)*** | **April 26-May 4, 2017** |
| Technical proposals scores posted at [www.courts.ca.gov/rfps.htm](http://www.courts.ca.gov/rfps.htm) ***(estimate only)*** | **May 9, 2017** |
| Public opening of cost portion of proposals. Notice of time, and location will be posted at [www.courts.ca.gov/rfps.htm](http://www.courts.ca.gov/rfps.htm)***(estimate only)*** | **May 10, 2017** **at 10:00 am (Pacific Time)** |
| Notice of Intent to Award ***(estimate only)*** | **May 11, 2017** |
| Negotiations and execution of contract ***(estimate only)*** | **May 15, 2017 - May 19, 2017** |
| Contract start date ***(estimate only)*** | **May 22, 2017** |
| Contract end date ***(estimate only)*** | **May 21, 2018** |

**4.0 RFP ATTACHMENTS**

The following attachments are included as part of this RFP:

| **ATTACHMENT**  | **DESCRIPTION** |
| --- | --- |
| Attachment 1: Administrative Rules Governing RFPs (IT Goods and Services): | These rules govern this solicitation. |
| Attachment 2: Judicial Council Standard Terms and Conditions | If selected, the person or entity submitting a proposal (the “Proposer”) must sign Judicial Council Standard Form agreement containing these terms and conditions (the “Terms and Conditions”).  |
| Attachment 3: Proposer’s Acceptance of Terms and Conditions | On this form, the Proposer must indicate acceptance of the Terms and Conditions or identify exceptions to the Terms and Conditions.  |
| Attachment 4: General Certifications Form | The Proposer must complete the General Certifications Form and submit the completed form with its proposal. |
| Attachment 5: Small Business Declaration | The Proposer must complete this form only if it wishes to claim the small business preference associated with this solicitation.  |
| Attachment 6: Payee Data Record Form | This form contains information the Judicial Council requires in order to process payments and must be submitted with the proposal. |
| Attachment 7: Unruh and FEHA Certification | The Proposer must complete the Unruh Civil Rights Act and California Fair Employment and Housing Act Certification. |
| Attachment 8: Additional Technical Information **[Revision No.1]** | Contains detailed technical information on the Judicial Council’s Oracle/PeopleSoft system to be considered in the Proposer’s response.  |
| **Attachment 8: Addendum**  | **Contains detailed Minimum Functional Requirements.** |
| Attachment 9:HREMS Resources | Contains the workforce resources assigned to this project and ongoing support of the system. |

**5.0 Pre-proposal Conference**

The Judicial Council will hold a pre-proposal telephone conference on the date identified in the timeline above. The pre-proposal telephone conference call-in number is:

 Dial 1-877-820-7831, PASSCODE 109630 *(attendance is optional)*

Attendance at the pre-proposal conference is optional. Proposers are strongly encouraged to attend only if the vendor requires clarifying questions regarding the scope of services or RFP timeline. All other questions should be submitted by the Deadline for Questions time period.

**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 non-cost portion and the cost portion.

a. The Proposer must submit **one (1) original and six (6) copies** of the non-cost portion of the proposal. The original must be signed by an authorized representative of the Proposer. The original non-cost portion of the proposal (and the copies thereof) must be submitted to the Judicial Council in a single sealed envelope, separate from the cost portion. The Proposer must write the RFP title and number on the outside of the sealed envelope.

b. The Proposer must submit **one (1) original and six (6) copies** of the cost portion of the proposal. The original must be signed by an authorized representative of the Proposer. The original cost portion of the proposal (and the copies thereof) must be submitted to the Judicial Council in a single sealed envelope, separate from the non-cost portion. The Proposer must write the RFP title and number on the outside of the sealed envelope.

c. The Proposer must submit an electronic version of the entire proposal on CD-ROM or USB memory stick/flash drive. The files must be ***unprotected*** in PDF, Word, or Excel formats.

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

 **Judicial Council of California**

 **Attn: Lenore Fraga-Roberts – Bid Desk**

 **RFP# HR-HREMS-2017-03-ML**

 **455 Golden Gate Avenue, 6th Floor**

 **San Francisco, CA 94102-3688**

6.4 Late proposals will not be accepted.

6.5 Only written proposals will be accepted. Proposals must be sent by registered or certified mail, courier service (e.g. FedEx), or delivered by hand. Proposals may not be transmitted by fax or email.

**7.0 PROPOSAL CONTENTS**

7.1 Non-Cost Portion. The following information must be included in the non-cost portion of the proposal. A proposal lacking any of the following information may be deemed non-responsive.

a. The Proposer’s name, address, telephone and fax numbers, federal tax identification number, and length of time the company has been in business. 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. 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.For each key staff member that will work on this project: a resume describing the individual’s background and experience, the individual’s ability and experience in conducting the proposed activities (including their specific PeopleSoft modules expertise), if they will be assigned part-time or full-time. .

d. Names, addresses, and telephone numbers of a minimum of four (4) clients for whom the Proposer has conducted similar services. The Judicial Council may check references listed by the Proposer.

e. Proposers shall be Oracle/PeopleSoft Certified Partners and submit proof of certification with their proposal.

f. **Proposed Method to Complete the Work**. The Judicial Council is seeking proposal options for upgrading current **the** Judicial Council HREMS system **to PeopleSoft version 9.2 with PeopleTools 8.55 (or latest available at the start of the project), as well as the latest PeopleSoft Update Manager version available** , including any new functionality associated with the upgrade, and implementation of ePerformance, Time and Labor and Absence Management. **Please note: based on the selected vendor and associated costs, the Judicial Council may or may not elect to implement all three new modules or may implement intermittently dependent upon available funding. Therefore, the final** selected approach will be used as the basis for negotiating the Scope of Work in the **executed** contract.

i. *Technical Approach. The Proposer shall describe the vendor’s plans and approach for accomplishing the work requested in Section 2.0 Description of Goods and/or Services of this RFP. The information provided shall be in enough detail to enable the Judicial Council to ascertain the proposer’s understanding of the effort to be accomplished and should outline the steps in the total service proposed. Proposers should consider items listed in* ***Attachment 8****, Additional Technical information and identify environment gaps or hardware needed to successfully complete this project.*

ii. *Proposers must provide a comprehensive narrative, captioned “Project Understanding,” that illustrates the vendor’s understanding of the Judicial Council’s requirements.*

*iii. Proposers must provide a comprehensive narrative captioned “Project Approach,” that illustrates how the proposer will complete the* ***proposed*** *scope of services, accomplish required objectives, and provide a proposed project schedule. The narrative should include potential success measures and testing methodologies.*

*iv. Proposers must provide a comprehensive narrative, captioned “Project Management,” that illustrates how the proposer will manage the project, in collaboration with the Judicial Council Project Manager, to ensure completion of the scope of services, and accomplish required objectives within the proposed project schedules as well as an outline of expectations of how the Proposer with utilize the Judicial Council resources noted in* ***Attachment 9*** *– HREMS Project Resources.*

g. 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 (a) a red-lined version of the Terms and Conditions that implements all proposed changes, and (b) a written explanation or rationale for each exception and/or proposed change.

h. 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. Proposer must submit with its proposal, for itself and each of its affiliates that make sales for delivery into California, a copy of either (i) a California seller's permit issued under Revenue and Taxation Code section 6066 et seq. or (ii) a certificate of registration issued under Revenue and Taxation Code section 6226.

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. Copies of the Proposer’s (and any subcontractors’) current business licenses, professional certifications, or other credentials.

v. Proof of financial solvency or stability (e.g., balance sheets and income statements).

vii. The Proposer must complete the Unruh Civil Rights Act and California Fair Employment and Housing Act Certification (**Attachment 7**) and submit the completed certification with its bid.

7.2 Cost Portion. The following information must be included in the cost portion of the proposal.

The Cost Proposal required format is provided in the **Appendix B, Cost Workbooks**. The Bidder shall include all costs proposed in the appropriate space as required by **Appendix B**. Total Costs are required by the Judicial Council for evaluation and budget purposes. (The Bidder is also required to state all other assumptions upon which its pricing is being determined in **Appendix B**).

The projects to be priced in the Bidder’s Cost Proposal include the following:

* 1. Project Preparation/Discovery Services
	2. Business Solution Services
	3. Realization/Configuration &Testing
	4. Final Preparation/Training
	5. Go Live Deployment Support/Post Implementation

As identified in section *7.0 Proposal Contents, item f. Proposed Method to Complete the Work*, Bidders are required to provide costs for **1) the upgrade of the current Judicial Council Oracle-PeopleSoft system, including new functionality associated with the upgrade; 2) implementation of ePerformance; 3) implementation of Time and Labor; and 4) implementation of Absence Management. All** should include all one-time costs, in the following Cost Workbooks**, one workbook for each of the above components, for a total of four submitted workbooks**:

**Appendix B – Component A – Cost Workbook:**

Upgrade current Judicial Council HREMS system, including any new functionality associated with the upgrade (mobile features, Work Centers Dashboards.

**Appendix B – Component B – Cost Workbook:**

Implementation of ePerformance .

**Appendix B – Component C – Cost Workbook:**

**Implementation of Time and Labor**.

Appendix B – Component D – Cost Workbook:

Implementation of Absence Management.

Project shall be firm-fixed price (FFP) with payments based on deliverables as proposed during the Agreement period. The Bidder shall provide fixed Hourly Rates to the Judicial Council for work to be performed during the project period. In addition, these rates shall be available for the Judicial Council to use for unanticipated tasks as necessary.

Please note the following pricing requirement:

***The Judicial Council may reject any proposal that requires payment in advance for services yet to be rendered. All payments for services must be in arrears.***

**COST WORKBOOKS**

In order to derive the full HREMS Upgrade and Implementation costs, the Judicial Council has made Cost Workbooks available to Bidders. The Cost Workbooks are in Excel format and can be found in RFP **Appendix B, Cost Workbook**. Bidders must provide responses for all **four (4)** components of costs. The Bidder must submit separate **Appendix B, Cost Workbooks**, as provided, for **each component (e.g. Upgrade and associated new functionality, ePerformance implementation, Time & Labor implementation, Absence Management implementation.**

The Judicial Council requires flexibility when selecting the execution of the final, selected **approach** including the **specific new modules to implement,** timing and sequence of optional functionality configuration and timing and sequence of deployment. As such, it is mandatory for the Bidder to provide Total Costs for all projects in the completed **Appendix B, Cost Workbooks**. **The Judicial Council will evaluate the cost portion based on the total, collective price of all components together.**

The **Appendix B, Cost Workbooks** include four (4) pre-formatted Excel Worksheets, as outlined below:

* + 1. Project Costs (Form-1) – This Worksheet provides a summary of the total proposed Approach Project costs. The content of this Worksheet is automatically populated with information from other Worksheets in the **Appendix B, Cost Workbook**.
		2. Pricing Model (Form-2) – This Worksheet provides pricing models for project preparation, Business Solution services including final preparation/training and Go live deployment Support and Post Implementation services.
		3. Labor Rates Worksheet (Form-3) – This Worksheet provides the information for specification of Bidder Composite Rates and individual staff classification Hourly Rates for the project and potential change orders for unanticipated tasks during projects.
		4. Payment Schedule Worksheet (Form-4) – This Worksheet provides the information for details of the deliverables-based payment schedule to the Bidder through final acceptance by the Judicial Council.

In order to identify the Total Costs, various categories are included in the cost worksheets. Instructions for completing the cost worksheets are provided below.

**COST WORKSHEETS**

Bidders are responsible for entering cost data in the format prescribed by the **Appendix B, Cost Workbook**. Formulas have been inserted in the appropriate cells of the worksheets to automatically calculate summary numbers, and typically should not be altered. Further instructions for entering cost data are included in the worksheets. It is the sole responsibility of the Bidder to ensure that all mathematical calculations are correct and that the Total Costs in Form-1, Total Cost Summary, reflect the Bid Amount or Amounts for RFP Number: HR-HREMS-2017-03-ML

Completion of the **Appendix B, Cost Workbooks** is mandatory. Applicable purchase, delivery, tax, services, safety, license, travel, per diem, Bidder’s staff training, and any other expenses associated with the delivery and implementation of the proposed items must be included in the Bidder's firm-fixed price (FFP) and fixed Hourly Rates.

# Total Project Costs (Form-1)

The Total Project Cost worksheet is divided into two sections for Approach A and Approach B. Bidders can fill out a proposal based on deliverables for Phase 1 and Phase 2 of the Approach on the Bidding proposal. At a minimum the Deliverables listed from **Appendix A** and the list of Goods and Services in section 2.0 of this RFP. Bidders may add to the list in alignment with their proposals.

# Pricing Model (Form-2)

The worksheet lists the deliverables categories divided into Project Preparation/Discovery services, Business solution services, Realization/Configuration and testing services, Final preparation/Training services and Go live deployment support/post implementation services. The bidder should provide details pertaining to assumptions, expectations and/or performance parameters used as a basis for pricing in the proposal.

# Labor Rates Worksheet (Form-3)

The Bidder shall provide staff Hourly Rates and a Composite Rate for each of the following Project types:

The Labor Rates Worksheet shall include the Bidder’s firm-fixed Hourly Rates (inclusive of travel, per diem, and other expenses) for standard staff classifications based on the Staff Positions provided in the tables. The Composite Rate for any proposed project type is a single, standard Hourly Rate that the Bidder shall offer as an option to the Judicial Council for unanticipated tasks, regardless of the mix of staff classifications required to actually perform the work. However, the Composite Rate shall be *based* on the Hourly Rate for each Staff Position used to establish the Composite Rate, and its associated Composite Weight Percentage. Composite Rate percentages shall be based on the corresponding Project’s level of effort for each Staff Position (which at a minimum shall include Key Personnel provided in the tables). **Please also include a narrative the breaks down the elements of cost for each hourly rate for evaluation purposes only.**

A single, standard Composite Rate (inclusive of travel, per diem, and other expenses) shall be provided for services to be provided upon request by the Judicial Council, regardless of the mix of PeopleSoft Experts required to actually perform the work.

The fixed rates shall apply throughout the term of the Agreement period.

The Judicial Council may request that the Agreement provide additional services for unanticipated tasks that were not originally envisioned and are out-of-scope of this Agreement. These service requests will be handled via change requests.

# Payment Schedule Worksheet (Form-4)

The Bidder shall detail the payment schedule by Deliverable Group (defined as Project Preparation, Business Solutions, Realization, Final Preparation, Go Live and Deployment Support) as identified in Form-4. Each Deliverable Group has a not to exceed percentage relationship to the total cost proposed by Bidders per project. All costs and cost items by Deliverable Group must be included in the Maximum Payment Schedule. The Bidder may add additional rows, move deliverables, and apply the percentages within each stated Deliverable Group as appropriate.

The Contractor shall be entitled to payments during the execution of the Upgrade/Implementation of JCC’s Oracle/PeopleSoft system. Each payment will be tied to the successful completion of work and the Judicial Council’s conditional acceptance of the work, as defined by the Agreement and the Bidder Payment Schedule Worksheet. A **15%** retention will be applied to each deliverable identified in each Deliverable Group. The payment to the Contractor on this **15%** retention will be made after Final Acceptance of each project.

1 Level 0 is end-user self-service, Level 1 is the first-level support analyst, Level 2 typically consists of desk-side support analysts and system administrators, and Level 3 consists of senior support staff and subject matter experts.

**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.

**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 Judicial Council reserves the right to negotiate extensions to this period.

**9.0 EVALUATION OF PROPOSALS**

The cost portion of proposals will be publicly opened at the date and time noted in Section 3.0 at 455 Golden Gate Avenue, San Francisco, California 94102.

The Judicial Council 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 Judicial Council will post an intent to award notice at [www.courts.ca.gov/rfps.htm](http://www.courts.ca.gov/rfps.htm).

| **CRITERION** | **maximum number of points** |
| --- | --- |
| Quality and relevance of Project Approach | 17 |
| Proposer’s/Vendor Qualifications | 15 |
| Cost  | 50 |
| Credentials of staff to be assigned to the project | 15 |
| Acceptance of the Terms and Conditions | 3 |

**10.0 INTERVIEWS**

The Judicial Council 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 interview process may require a demonstration. The interview may also require a demonstration of equivalence if a brand name is included in the specifications. The interviews may be conducted in person or by phone. If conducted in person, interviews will likely be held at the Judicial Council’s offices. The Judicial Council will not reimburse Proposers for any costs incurred in traveling to or from the interview location. The Judicial Council will notify eligible Proposers regarding interview arrangements.

**11.0 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 Judicial Council 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 Judicial Council’s right to disclose information in the proposal, or (b) requiring the Judicial Council 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.

**12.0 DISABLED VETERAN BUSINESS ENTERPRISE INCENTIVE**

 ***The Judicial Council has waived the DVBE incentive in this solicitation.***

**13.0 SMALL business preference**

Small business participation is not mandatory. Failure to qualify for the small business preference will not render a proposal non-responsive.

Eligibility for and application of the small business preference is governed by the Judicial Council’s Small Business Preference Procedures for the Procurement of Information Technology Goods and Services. The Proposer will receive a small business preference if, in the Judicial Council’s sole determination, the Proposer has met all applicable requirements. If the Proposer receives the small business preference, the score assigned to its proposal will be increased by an amount equal to 5% of the points assigned to the highest scored proposal. If a DVBE incentive is also offered in connection with this solicitation, additional rules regarding the interaction between the small business preference and the DVBE incentive apply.

To receive the small business preference, the Proposer must be either (i) a Department of General Services (“DGS”) certified small business or microbusiness performing a commercially useful function, or (ii) a DGS-certified small business nonprofit veteran service agency.

If the Proposer wishes to seek the small business preference, the Proposer must complete and submit with its proposal the Small Business Declaration (**Attachment 5**). The Proposer must submit with the Small Business Declaration all materials required in the Small Business Declaration.

Failure to complete and submit the Small Business Declaration as required will result in the Proposer not receiving the small business preference. In addition, the Judicial Council may request additional written clarifying information. Failure to provide this information as requested will result in the Proposer not receiving the small business preference.

If the Proposer receives the small business preference, (i) the Proposer will be required to complete a post-contract report; and (ii) failure to meet the small business commitment set forth in its proposal will constitute a breach of contract.

**FRAUDULENT MISREPREPRETATION IN CONNECTION WITH THE SMALL BUSINESS PREFERNCE IS UNLAWFUL AND IS PUNISHABLE BY CIVIL PENALTIES. SEE GOVERNMENT CODE SECTION 14842.5.**

**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. Protests must be sent to:

Judicial Council of California

**Attn: Protest Hearing Officer**

**RFP# HR-HREMS-2017-03-ML**

Branch Accounting and Procurement | Administrative Division

455 Golden Gate Avenue, 6th Floor

San Francisco, CA 94102-3688