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|  | REQUEST FOR PROPOSALS |
| **JUDICIAL COUNCIL OF CALIFORNIA**  **Regarding:** Title: Information Systems Security Outreach Program  RFP Number: IT-2018-09-LB  **PROPOSALS DUE:**  May 23, 2018 no later than 2:00p.m. Pacific time |

1. **BACKGROUND INFORMATION**

1.1 Judicial Council of California. The Judicial Council of California (Judicial Council), chaired by the Chief Justice of California, is the chief policy making agency of the California judicial system. The California Constitution directs the Judicial 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 Judicial Council also adopts rules for court administration, practice, and procedure, and performs other functions prescribed by law. The Administrative Division is the staff agency for the Judicial Council and assists both the Judicial Council and its chair in performing their duties.

1.2 Information Technology Office. The Information Technology Office, part of the Judicial Council’s Operations and Programs Division, is responsible for assisting the courts in achieving the organization’s technology objectives. The office is directly responsible for the development, acquisition, implementation, and support of automated systems in the appellate courts and the Judicial Council.

1.3 Purpose/Objective: This RFP is being issued by the Judicial Council (comprising of offices in Sacramento and San Francisco) for an external qualified vendor to operate and administer an Information Systems Security Outreach Program that assists courts and the Judicial Council with the assessment of compliance with information systems security controls that are in place, identification of vulnerabilities, determination of risks from any gaps identified, the provision of recommendations on how best to address these vulnerabilities, remediation assistance, the review and standardization of information technology policies and procedures, and the participation in information technology security forums within the California judicial branch, with an overall goal of facilitating the effective implementation of the judicial branch framework of information systems controls.

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

2.1 The Judicial Council Information Technology Office seeks the services of a qualified service provider with expertise in information security, cybersecurity, information technology governance, security governance, risk management, compliance and reporting, and program management.

* 1. Description of Services: For an initial term of three (3) years, with two (2) additional one-year option years, the respondent (“Contractor”) shall operate an Information Systems Security Outreach Program in support of the California judicial branch, and shall assist the Judicial Council Information Technology Office in delivering the following services to the Judicial Council and to courts on behalf of the Judicial Council:
     1. Consulting services to courts within the California judicial branch on subjects related to information security. Contractor shall receive requests via the Judicial Council, respond to, and prioritize, requests, as well as plan, schedule and deliver services in response to requests. Requests may come in the form of security framework implementation assistance, information security program review and optimization assistance, IT threat assessments, IT risk reviews, or of a similar nature to those listed here that have an overall focus of helping courts establish or enhance local information security programs.

A key component of these services shall be to assist the courts with (1) the completion of a currently established Information Security Checklist; (2) based on findings established during the completion of the checklist, assisting with the revision of existing or the implementation of relevant new security policies using established policy templates; (3) assisting in the identification of vulnerabilities; and (4) providing recommendations on how to best address these vulnerabilities.

A typical court engagement should be a collaborative effort meant to help prepare the entity for the information technology and information security components of an audit, rather than an engagement performed in the style of an audit. Engagements should be of a consultative nature that includes meaningful assistance in the implementation of recommendations and/or remediation findings identified rather than the simple performance of a discovery/review process and the reporting of findings without follow-on support. It is estimated that individual court engagements may consist of up to approximately 400 hours of effort occurring over a two to six-month period depending on the specific services requested and the needs of the court.

Courts shall be provided with a report following the completion of the engagement that summarizes the work requested and performed.

While the Contractor may receive requests from all courts, the predominate focus is on delivering services to smaller and mid-sized courts that have approximately 300 employees or less. The contractor will be expected to work primarily with an executive contact and an IT contact within each court in the delivery of these services. The contractor should expect to be engaged with multiple courts in parallel vs. engaging in a dedicated effort with a single court before commencing work with another court. This could potentially three to five courts at any given time, for example, initiating engagements at one or two courts, while executing engagements at one or two additional courts, and while closing out engagements at one or two other additional courts.

* + 1. Performance of periodic information technology risk assessment functions within the Judicial Council that will review compliance with information systems security controls or subsets of controls, provide testing of specific controls where applicable or warranted, determine risks resulting from any gaps identified, and provide recommendations on how best to address any gaps or risks identified in this process. In the performance of these functions, utilize applicable standards and best practices such as those set forth in the Federal Information Systems Controls Audit Manual (FISCAM) and/or other resources that are known to be useful and relevant by the Contractor. For reference, the Judicial Council’s framework of information systems controls aligns with NIST 800-53.
    2. Participation in an ongoing judicial branch effort to collect, standardize and templatize existing information technology policies and procedures. This effort is to include administration of an existing centralized information technology policy and procedure library consisting of document sets submitted from various judicial branch entities, the maintenance of a set of reference policies, standards, procedures and other related items that judicial branch entities may use as a resource in the development of their own local documentation.
    3. Performance of additional services as requested by judicial branch entities, as approved by the program governance structure, related to the subject of information security, audit readiness, audit compliance and/or audit remediation.
       - Information security consulting services
       - Information systems policy and procedure development, review, and revision
       - Standards-based risk assessments, controls reviews and testing
       - Information systems process reviews and process engineering
       - Information technology project reviews in support of the identification of potential points of failure
       - The preparation and delivery of information security-related training
    4. Program and project management services in support of the Information Systems Security Outreach Program.
  1. Services shall be rendered in response to requests received by the Judicial Council and subsequently qualified and assigned to the program.
  2. Deliverables are to be monthly program activity reports delivered within seven (7) business days after the end of each reporting period. Reports are to include an accounting of:
     + New requests received
     + Work in progress
     + Completed activities
     + Pending and on-hold items
     + Current issues and risks
     + Notable achievements or accomplishments as applicable
  3. Work Location
     1. The Contractor personnel shall perform their duties on any of the premises of the Judicial Council facilities during regular workdays and normal business hours (8 a.m.–5 p.m., Monday–Friday, Pacific Time), and at all other times as required to successfully provide the services described in this SOW. The Judicial Council has work locations in San Francisco and Sacramento. While the Contractor may need to conduct work in both locations, the primary work location will be the Sacramento office located at 2860 Gateway Oaks, Suite 400. The Respondent should anticipate that there will be some travel to the San Francisco office.
  4. Contractor Responsibilities
     1. The Contractor will provide its own equipment and software necessary to perform the required duties.
     2. The Contractor establish and maintain a mechanism to log and track assigned requests.

**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**:** | April 27, 2018 |
| Deadline for questions to [solicitations@jud.ca.gov](mailto:solicitations@jud.ca.gov) | May 7, 2018 at 2:00pm (Pacific Time) |
| Questions and answers posted *(estimate only)* | May 11, 2018 |
| Latest date and time proposal may be submitted | May 23, 2018, 2pm (Pacific Time) |
| Evaluation of proposals (*estimate only*) | The week of May 28, 2018 |
| Public opening of cost portion of proposals | June 7, 2018 |
| Notice of Intent to Award (*estimate only*) | June 12, 2018 |
| Negotiations and execution of contract (*estimate only*) | June 15, 2018 |
| Contract start date (*estimate only*) | June 20, 2018 |
| Contract end date (*estimate only*) | June 30, 2021 |

**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 this Judicial Council Standard Form agreement (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: Iran Contracting Act Certification | The Proposer must complete the Iran Contracting Act Certification and submit the completed certification with its proposal. |
| Attachment 8: Unruh and FEHA Certification | The Proposer must complete the Unruh Civil Rights Act and California Fair Employment and Housing Act Certification. |
| Attachment 9: Non-Disclosure Agreement | The Proposer must submit a signed non-disclosure agreement. |
| Attachment 10: Bidder Declaration | Complete this form only if the Proposer wishes to claim the DVBE incentive associated with this solicitation. |
| Attachment 11: DVBE Declaration | The Proposer must complete this form and submit it with their proposal only if Proposer wishes to qualify for the DVBE incentive. |
| Attachment 12: Cost Worksheet | The Proposer must complete the Cost Worksheet and submit the completed form with its proposal. |

**5.0 PAYMENT INFORMATION**

5.1 The Judicial Council estimates the annual budget shall not exceed $1,040,000.00, or $3,120,000.00 for the initial three (3) year term.

5.2 See Appendix B on Pricing and Payment of Attachment 2 – Standard Agreement.

**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 two (2) 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 two (2) 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.

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

Bid Desk – Information Systems Security Outreach Program

RFP Number: IT-2018-09-LB

Branch Accounting and Procurement | Administrative Division

Judicial Council of California

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, 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. 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: a resume describing the individual’s background and experience, as well as the individual’s ability and experience in conducting the proposed activities.

d. Names, addresses, and telephone numbers of a minimum of three (3) clients for whom the Proposer has conducted similar services. The Judicial Council may check references listed by the Proposer.

e. Project team organization, including classification or job titles and proposed method to complete the work

f. A list and brief description of similar services successfully completed by Proposer,

g. An overall description of the techniques, approaches, and methods Proposer plans to use in performing the services.

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 (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.

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. 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.

iii. The Proposer must complete the Iran Contracting Act Certification (Attachment 7) and submit the completed certification with its proposal.

iv. The Proposer must complete the Unruh Civil Rights Act and California Fair Employment and Housing Act Certification (Attachment 8) 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.

IT Services:

i. Cost Worksheet (Attachment 12) showing detailed line item classification, rate per hour and discounted rate per hour.

ii. 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.

**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:

Judicial Council of California

455 Golden Gate Avenue, 3rd Floor

San Francisco, CA 94102-3688

Inquiries on the exact venue within the 455 Golden Gate Avenue address may be inquired at [solicitations@jud.ca.gov](mailto:solicitations@jud.ca.gov) no earlier than the day after the latest date and time proposal may be submitted.

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 http://www.courts.ca.gov.

| **CRITERION** | **maximum number of points** |
| --- | --- |
| Quality of work plan submitted | 15 |
| Experience on Similar Assignments | 10 |
| Cost - Value within Budget | 50 |
| Credentials of staff to be assigned to the project | 15 |
| Compliance with Administrative Requirements: | 7 |
| Qualified DVBE | 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**

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 Judicial Council’s DVBE Rules and Procedures. Proposer will receive a DVBE incentive if, in the Judicial Council’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 9.0 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:

* Proposer must submit with its proposal a DVBE Declaration (Attachment 11) 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.
* Proposer must complete and submit with its proposal the Bidder Declaration (Attachment 10). Proposer must submit with the Bidder Declaration all materials required in the Bidder Declaration.

Failure to complete and submit these forms as required will result in Proposer not receiving the DVBE incentive. In addition, the Judicial Council 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 Judicial Council’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 Judicial Council 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 MISREPREPRETATION 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.**

**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.

The deadline for the Judicial Council to receive a solicitation specifications protest is the proposal due date. Protests must be sent to:

Bid Desk

RFP Number: IT-2018-09-LB

Branch Accounting and Procurement | Administrative Division

Judicial Council of California

455 Golden Gate Avenue, 6th floor

San Francisco, CA 94102-3688