

RFP Title: Email Marketing Tool Software Solution  
RFP Number: CFCC-22-124RB

# REQUEST FOR PROPOSALS

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***JUDICIAL COUNCIL OF CALIFORNIA,  
CENTER FOR FAMILIES, CHILDREN AND THE COURTS***

**TITLE: EMAIL MARKETING TOOL SOFTWARE  
SOLUTION**

***RFP Number: CFCC-22-124RB***

***PROPOSALS DUE:  
DECEMBER 5, 2022, NO LATER THAN 3 P.M. PACIFIC TIME***

## **1.0 BACKGROUND INFORMATION**

- 1.1. 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.
- 1.2. 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.
- 1.3. The Judicial Council also adopts rules for court administration, practice, and procedure, and performs other functions prescribed by law.
- 1.4. The Judicial Council of California is the staff agency for the council and assists both the council and its chair in performing their duties.
- 1.5. The Center for Families, Children, and the Courts (CFCC) is an office within the Judicial Council’s Operations & Programs Division.
- 1.6. The CFCC is dedicated to improving the quality of justice and services to meet the diverse needs of children, youth, and families.
- 1.7. The CFCC and other Judicial Council offices require a single three-year subscription (with two-year option to renew) for an email marketing software solution that can design and share custom email communications to various email contact groups.
- 1.8. The single subscription will support up to ten account user groups. See RFP, Exhibit 1 for software requirements. All software functions, features, reports, etc. will be accessed via the Internet.

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

2.1 The Judicial Council is requesting proposals from highly qualified providers of email marketing software for the Center for Families, Children, and the Courts (CFCC). CFCC is in the need of a 3-year subscription-based software tool as a means of designing and sharing custom communications to various contact groups. More detail can be found in **Exhibit 1: Minimum Email Marketing Tool Software Requirements**.

2.2 The Judicial Council intends to award one proposal, for an initial three (3) year subscription. If the Judicial Council elects to extend the term, it will continue to be based on a two (2) year subscription.

2.3 The Judicial Council may elect to make an award to one email marketing tool provider if it is in the Judicial Council's best interest to do so. The Judicial Council reserves the right to make only one award, or to reject any or all proposals submitted in response to this RFP. The Judicial Council further reserves the right to make no award and to modify or cancel, in whole this RFP.

### 3.0 TIMELINE FOR THIS RFP

EVENT	DATE
RFP issued	<b>November 1, 2022</b>
Deadline for questions submitted to <a href="mailto:Solicitation@jud.ca.gov">Solicitation@jud.ca.gov</a>	<b>November 9, 2022, at 3:00 p.m. (Pacific Time)</b>
Questions and answers posted at <a href="https://www.courts.ca.gov/rfps.htm">https://www.courts.ca.gov/rfps.htm</a> (estimate only)	<b>Nov 14, 2022</b>
Final Proposal due date and time – Technical and Cost Proposals are submitted in different mailboxes, please see below:	<b>December 5, 2022, at 3:00 p.m. (Pacific Time)</b>
Technical Proposal only must be submitted to – <a href="mailto:Solicitations@jud.ca.gov">Solicitations@jud.ca.gov</a>	<b>December 5, 2022, at 3:00 p.m. (Pacific Time)</b>
Cost Proposal Only must be submitted separately to RFP-CFCC-22-124RB-COSTS@jud.ca.gov	<b>December 5, 2022, at 3:00 p.m. (Pacific Time)</b>
Evaluation of proposals ( <i>estimate only</i> )	<b>December 6 to 20, 2022</b>
Technical scores posted on the JCC website ( <i>estimate only</i> )	<b>December 21, 2022</b>
Public cost opening. Details will be emailed to respondents.	<b>December 26, 2022</b>
Notice of Intent to Award ( <i>estimate only</i> )	<b>December 30, 2022</b>
Negotiation and execution of Agreement	<b>January 2, 2023, to January 20, 2023</b>
Agreement start date ( <i>estimate only</i> )	<b>January 23, 2023</b>

## 4.0 RFP ATTACHMENTS

The following attachments are included as part of this RFP:

ATTACHMENT	DESCRIPTION
Attachment 1: Administrative Rules	These rules govern this solicitation.
Attachment 2: JBE Standard Terms and Conditions	If selected, the person or entity submitting a proposal (the “Proposer”) must sign JBE Standard Form agreement
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	
Attachment 6: Payee Data Record Form	This form contains information the JBE requires to process payments and must be submitted with the proposal.
Attachment 7: Darfur Contracting Act Certification	The Proposer must complete the Darfur Contracting Act Certification and submit the completed certification with its proposal.
Attachment 8: Bidder Declaration	This form needs to be signed by the Proposer if the Contractor is participating in the DVBE incentive and submitted with the proposal.
Attachment 9: DVBE Declaration	Each DVBE that will provide goods and/or services in connection with the contract must complete this form. If the Proposer is itself a DVBE, it must also complete and sign the DVBE Declaration.
<b>Attachments 3-9 must be signed by an authorized representation of the Provider</b>	
<b>Exhibit 1</b> – Minimum Email Marketing Tool Requirements	System requirements document.
<b>Exhibit 2</b> – Response Template	The provider representative will complete this form summarizing the functionality of their system or product.
<b>Exhibit 3</b> – Pricing Sheet	The provider representative will complete this form

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## **5.0 PAYMENT INFORMATION**

See **Attachment 2**: JCC Standard Terms and Conditions

## 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.

6.1 The Proposer must submit its proposal in two parts with associated attachments: the Technical Proposal and the Cost Proposal.

### 6.1.1 Technical Proposal

6.1.1.1 All Technical Proposals and related attachments must be submitted to the Solicitations mailbox at [solicitations@jud.ca.gov](mailto:solicitations@jud.ca.gov).

6.1.1.2 The Proposer must submit their Technical Proposal via email as a separate attachment from the Cost Proposal.

6.1.1.3 The Technical Proposal must be signed by an authorized representative of the Proposer. The Proposer must indicate the RFP title and number in the subject line of the email, as well as on any Proposal attachments

### 6.1.2 Cost Proposal

6.1.2.1 All Cost Proposals and related attachments must be submitted to the Solicitations mailbox at RFP-CFCC-22-124RB-COSTS.

6.1.2.2 The Cost Proposal must include the completion of Exhibit 3 – Pricing Sheet using the information in Section 2.0 and in the *Deliverables Matrix*, Section 5.

6.1.2.3 The Proposer must indicate the RFP title and number in the Subject line of the submission email and on any Proposal attachments.

6.1.3 Acceptance of submissions will be based on the date and time the emails are received by the Judicial Council. Both proposal emails must be received prior to the due date and time.

Proposal submitted or received after the published due date and time will not be accepted.

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## **7.0 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 JBE reserves the right to negotiate extensions to this period.



## 8.0 Evaluation of Proposals

At the time proposals are opened, each proposal will be checked for the presence or absence of the required proposal contents.

The JBE 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 JBE will post an intent to award notice at <http://www.courts.ca.gov/rfps.htm>.

CRITERION	MAXIMUM NUMBER OF POINTS
<p><b>Quality of work plan submitted</b>  <i>Proposals should include a work plan that demonstrates an understanding of the scope of work in the RFP, including timeline, specific project approaches, and proposed staffing. Work plan should include concrete steps that will be taken by bidder to timely meet all project deliverables and ensure high quality work products.</i></p>	17
<p><b>Experience on similar assignments and credentials of staff to be assigned to the project</b>  <i>Proposals should indicate prior experience and/or examples of similar previous projects performed, including specific qualifications/experience for key personnel assigned to each project.</i></p>	13
<p><b>Ability to meet timing requirements to complete the project</b>  <i>Proposals should demonstrate a firm capacity to perform all deliverables within the specific timeframe Evaluation of ability to meet timing requirements will factor in previous work/projects that successfully met project time requirements and milestones.</i></p>	12
<p><b>Cost</b></p>	50

CRITERION	MAXIMUM NUMBER OF POINTS
<i>Proposals should include a detailed line-item budget (maximum firm fixed amount for each deliverable) with detailed explanation and justification to ensure timely, effective and efficient delivery of work. Proposal costs will be evaluated to determine whether the anticipated costs are reasonable and appropriate for completion of all project deliverables.</i>	
<b>Acceptance of the Terms and Conditions</b>	<b>5</b>
<b>DVBE Incentive</b>	<b>3</b>

## 9.0 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 JBE 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 JBE’s right to disclose information in the proposal, or (b) requiring the JBE 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.

## 10.0 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:

1. Proposer must complete and submit with its proposal the Bidder Declaration (Attachment 9). Proposer must submit with the Bidder Declaration all materials required in the Bidder Declaration.
2. Proposer must submit with its proposal a DVBE Declaration (Attachment 10) 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.

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

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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 MISREPRETATION 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.**

## **11.0 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](http://www.courts.ca.gov/documents/jbcl-manual.pdf)).

A Proposer's failure 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 JBE to receive a solicitation specifications protest is the same as the proposal due date.

Protests must be sent to:

Judicial Council of California  
Branch Accounting and Procurement  
ATTN: Protest Hearing Officer  
455 Golden Gate Avenue  
San Francisco, CA 94102-3688

*(Indicate Solicitation Number and Name of Your Firm on  
lower left corner of envelope.)*