

REQUEST FOR PROPOSALS

JUDICIAL COUNCIL OF CALIFORNIA

REGARDING:

RFP NUMBER— RFP-TCAS-2024-01-MS

STATEWIDE AUDIOVISUAL SYSTEMS, SOLUTIONS,
AND MAINTENANCE SERVICES

PROPOSALS DUE:

August 14, 2024, NO LATER THAN 3:00 P.M. PACIFIC TIME

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LINKS

[PAYEE DATA RECORD FORM \(STD 204\)](#)

The fill and print form is available at the following link:
(<https://www.documents.dgs.ca.gov/dgs/fmc/pdf/std204.pdf>)

[PAYEE DATA RECORD SUPPLEMENT \(STD 205\)](#)

The fill and print form is available at the following link:
(<https://www.documents.dgs.ca.gov/dgs/fmc/pdf/std205.pdf>)

1 BACKGROUND INFORMATION

- 1.1 The judicial branch of California is a part of California government—independent from the executive and legislative branches—and includes the Superior, Appellate, and Supreme Courts of California. A part of the judicial branch is the Judicial Council, which is chaired by the Chief Justice of California. The Judicial Council is the primary policy making body of the California judicial system. The Judicial Council of California (“Judicial Council”) is the staff agency of the Judicial Council. Facilities Services is the division of the Judicial Council responsible for the planning, design, construction, and real estate and asset management of judicial branch facilities for the court system of California.
- 1.2 The California Judicial Branch has approximately 2,300 courtrooms located in approximately 460 courthouses, throughout the state of California (“State”).
- 1.3 This Request for Proposal (RFP) is being issued by the Judicial Council, on behalf of itself, the Supreme Court of California, the Courts of Appeal, the Habeas Corpus Resource Center and the fifty-eight (58) Superior Courts of California, (collectively, “Judicial Branch Entities,” or “JBEs” and individually, a “JBE”).

2 PURPOSE OF THIS RFP

- 2.1 **Proposers.** The Judicial Council requests proposals (“Proposals”) from qualified audiovisual services and solutions providers, either Statewide or within a region(s), for existing or new judicial branch facilities. Bidding firms for the purpose of this RFP will be referred to as “Proposers.” Proposers will be evaluated, and well-qualified firms will be selected to provide services throughout the State.
- 2.2 The intention of this RFP is to broadly describe the scope of requirements for the services and solutions that the Judicial Council anticipates will be delivered as a result of this procurement. The submittal responding to this RFP shall indicate the services and solutions that a responding company is qualified to perform and proposes to perform. Based on the responses to this RFP, the Judicial Council plans to select service providers qualified to provide the scope of services described in this RFP and award a Leveraged Procurement Agreement (“Leveraged Procurement Agreement” or “Agreement”) with each of the selected service providers.
- 2.3 A bidder may submit a bid on one category, or all categories listed under Section 3. Description of Services and Deliverables, 3.2 Scope of Work. We will not separate categories among multiple proposers. The Judicial Council reserves the right to award multiple contracts or award in whole or in part or to make no award.
- 2.4 A JBE will request audiovisual service providers under a Leveraged Procurement Agreement to submit proposals as projects arise. The requesting JBE will evaluate the proposals submitted by the service providers and evaluate each proposer’s cost

data, proposed plan of work and schedule, and proposer's record of performance. The requesting JBE will then select a service provider for the project.

- 2.5 The Judicial Council does not guarantee the amount or duration of work or number of work authorizations that may be given to service providers awarded Leveraged Procurement Agreements. The JBEs will assign work at their own discretion.
- 2.6 The Judicial Council anticipates awarding one or more Leveraged Procurement Agreements to well-qualified Proposers for an initial three-year term, with two consecutive one-year options for a potential maximum of five years. Each of the two option terms may be exercised at the Judicial Council's sole discretion. Any resulting Leveraged Procurement Agreement is estimated to be effective from January 1, 2025, through January 1, 2029. The resulting Agreement will be available for use by all JBEs.
 - 2.6.1 Posted with this RFP is the Judicial Council's form of Leveraged Procurement Agreement, including the indemnification provision that the Judicial Council will include in that Agreement. In accordance with the Judicial Council's Administrative Rules Governing this RFP (Attachment A), please indicate in the Proposal if it has any comments or objections to the form of Agreement.

PLEASE NOTE: The Judicial Council reserves the right in its sole discretion to reject any proposed changes or modifications to the form of Leveraged Procurement Agreement, and does not intend to consider any substantive changes to the form of Leveraged Procurement Agreement unless they are submitted with the Proposal pursuant to the instructions in this RFP; in the event that a Proposer is awarded a Leveraged Procurement Agreement under this RFP and refuses to execute that Agreement unless or without requested changes or modifications thereto, the Judicial Council may revoke said award to the Proposer of the services under this RFP. See Attachment F, Proposer Acceptance of Terms and Conditions, for further information and direction.

- 2.7 JBEs may elect, but are not required, to purchase goods and services under any Leveraged Procurement Agreement that may be awarded as a result of this RFP. JBEs will be under no obligation to purchase any minimum quantity of goods and services under said Leveraged Procurement Agreement.
- 2.8 **Performance Management.** The Judicial Council may choose to conduct periodic business performance reviews on completed projects to evaluate the Proposer's performance for quality assurance, safety, duration of the project, Judicial Council satisfaction, and other relevant factors. The Judicial Council, at its sole discretion, may not offer subsequent projects to and/or may terminate an agreement with any Proposers who do not meet minimum performance benchmarks specified in their business performance review.

- 2.9 **Sole Means.** This RFP is the sole means for prospective Proposers to submit their proposals to the Judicial Council for the services for Statewide Audiovisual Systems, Solutions, and Maintenance services, as described within this RFP.
- 2.10 Audiovisual services work that will be done as a result of this RFP shall be in accordance with the requirements expressed in this document and with the Judicial Council Leveraged Procurement Agreement applicable to the work, which includes compliance with all currently applicable local, State, and federal codes and regulations.
- 2.11 Contractor to send a copy of all orders and Participating Addenda to the JCC mailbox AV_MSA@jud.ca.gov so that JCC may track utilization of the LPA.

3 DESCRIPTION OF SERVICES AND DELIVERABLES

3.1 The Judicial Council seeks the services of persons or entities with expertise in audiovisual services and digital courtroom solutions, including but not limited to development consulting, construction, software programming, and application implementation and integration. Selected Proposers awarded an Agreement under this RFP are to provide a range of traditional audiovisual services and equipment, as well as digital courtroom solutions which may be software, software as a service (SaaS), and/or cloud-based for new and existing California court facilities and any other facility related projects as required. Proposers may submit a proposal in any or all the following three categories:

3.2 Scope of Work

3.2.1 **Category One-** Provide audiovisual hardware and related equipment. This may include but is not limited to:

- Control systems, systems, mixers, processors, monitors, touch panels, projectors, screens, cameras, and microphones, keyboards, mice, switches, and modules to expand or provide functionality in audiovisual hardware and related equipment.
- Cables, connectors, adapters, brackets, racks, cabinets, furniture to house AV equipment, devices, and equipment to organize and manage cabling, raised flooring systems to facilitate changes in courtroom layout and/ or technology.
- Service and maintenance contracts.
- Coordinate with ordering JBE as needed to facilitate quote development. Prepare quote packages that clearly identify device, product ID, unit cost, quantity, extended total, discount if applicable, taxable/ nontaxable, and

shipping cost. Quotes must also clearly identify the process for changing, cancelling, or returning the equipment that has been ordered.

- Provide lead times for all equipment quoted prior to order.
- Provide detailed shipping information including carrier and tracking number.
- Continuously monitor and notify ordering JBE of shipping updates, including delays or possibility of expedited order.
- JBE reserves the right to require logical diagrams illustrating proposed solution as part of the quote package.

3.2.2 **Category Two:** Design, construct, and/or program audio visual systems. This may include, but are not limited to:

Design new or upgraded audiovisual systems. (Services may include but not limited to)

- Conduct site visits to determine the scope of the projects.
- Formulate a plan of action together with the stakeholders.
- As the design evolves, continue to communicate with the stakeholders to keep them apprised of the progress and report updates.
- Determine what equipment needs to be replaced and what can be re-used.
- Make drawings and write specifications for all assigned work.
- Provide project budget estimates.
- Prepare a bid package that meets the requirements of the Judicial Council of California.
- Evaluate the bids and advise which contractor(s) are most qualified to perform the work.
- Evaluate change orders for both financial, technical and functional issues, in cases where unforeseen issues are discovered during installation or construction.
- Perform a punch list at project completion.
- If required, do a post-completion do a post-completion evaluation to confirm that systems are operating per design.
- Consultant may **NOT** bid on any construction work they have recommended. (No Follow On).
- JBE reserves the right to require logical diagrams illustrating proposed solution as part of the quote package.

Construct, implement new or upgraded audiovisual systems. Services include:

- Procure, furnish, and install audiovisual systems included in design.
- Program the installed systems to work with the facility infrastructure. operation and maintenance staff including step-by-step written directions for troubleshooting.

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- Provide training to operation and maintenance staff including step-by-step written directions for troubleshooting.
- Provide written warranty for the completed work. The duration of the warranty shall be dependent on the scope and negotiated at the time of bid proposals for specific projects.
- Conduct service visits as needed during the warranty period.
- Evaluate change orders for both financial, technical, and functional issues, in cases where unforeseen issues are discovered during installation or construction.
- Perform a punch list at project completion.
- If required, conduct a post-completion evaluation to confirm that systems are operating per design.
- JBE reserves the right to require logical diagrams illustrating proposed solution as part of the quote package.

Program new or upgraded audiovisual systems. Services may include but are not limited to:

- For AV control system design, obtain a template for the touch panel, if available, either from the JBE or the Judicial Council and base the final design on that template.
- Start work as soon as the design is approved by the hiring entity.
- Coordinates schedules with the AV contractor to ensure delays are minimized.
- If required, the programmer is to visit the contractor's local facility in order assist in the system testing before the equipment is delivered to the job site.
- Keep the firmware up to date on all programmable systems.
- After systems are completely tested and functioning visit the site to make sure every function works as designed.
- JBE reserves the right to require logical diagrams illustrating proposed solution as part of the quote package.

3.2.3 **Category Three:** Provide, integrate, and/or implement digital courtroom solutions to facilitate or enhance remote and hybrid courtroom proceedings.

- Respondents may propose a range of digital courtroom solutions that offer a variety of features, advanced functionality, support for different teleconferencing solutions, and/ or integrate with existing courtroom operations applications, such as calendaring and case management systems, to improve the hybrid and remote courtroom experience.
- Respondents must provide pricing for each proposed digital solution product, based on a per-seat licensing cost, in Attachment N.
- Proposal must include all EULAs governing the digital solutions.
- Provide design and integration planning for digital solutions.
- Provide project management and technical resources to implement/integrate proposed digital solution.
- Respondent must describe its methodology for designing, implementing, and testing digital solutions post-implementation.
- Respondent must provide a breakdown of labor categories, hourly rate, and service areas for solution implementation. If work is to be performed remotely, this should be noted on the proposal.
- Provide solution training and documentation.
- Respondent must describe how training will be provided to local court staff at the time of installation and on an on-going basis, as requested by the court.
- Provide solution maintenance and support.
- Respondent must detail how it will provide technical support between the hours of 7:30 a.m. and 5:30 p.m. Pacific Time Zone, Monday through Friday (excluding federal and State holidays).
- Respondent must describe its process for troubleshooting and resolving issues with the courtroom technology installation, including response times.
- JBE reserves the right to require logical diagrams illustrating proposed solution as part of the quote package.

3.3 Qualifications Submittal

Proposers may submit Proposals that include any, or all, of the following categories. Proposer's submittal must *clearly* identify the categories for which they are responding.

Category One: Provide audiovisual hardware and related equipment.

Proposer must be an authorized dealer for all solutions to be supplied under this contract.

Proposer must provide:

- A statement specifying the number of years the Proposer's firm has been in business and average annual sales in US dollars.
- Description of Proposer's ordering and logistics systems.
- Provide contact information for at least 3 customers.

Category Two: Design, construct, and/or program audiovisual systems.

The Proposal must justify, in the judgment of the Judicial Council, that the Proposer has the capability to manage and install a project of the expected size and complexity.

The Proposal must have the staff resources and the necessary business and technical expertise to complete the installation and the subsequent warranty service in a timely manner.

A Proposer may be disqualified if the information in their submittal does not meet these and the following requirements. The submittal will be judged based on the following criteria:

- A minimum of five (5) years professional experience working as an audiovisual firm designing and installing complex commercial audiovisual systems. This includes experience in the design, installation, integration, and support of commercial audiovisual, teleconferencing, videoconferencing, cable/satellite television and control system software, hardware, and infrastructure.
- Must have successfully completed a minimum of three projects of similar scope in the past two years. Indicate the location, type of system installed, total contract amount, date completed. Include end-user names, email addresses and telephone numbers so they can be contacted as a reference.
- Knowledge of network infrastructure as it relates to the control and interface of audiovisual systems.
- Ability to read, evaluate and critique architectural, electrical, network and audiovisual drawings.
- A documentable track record of keeping abreast of new technologies as they relate to commercial audiovisual systems.
- Any personnel assigned to design, implement and/or commission any system that requires factory training, i.e., the multi-format routing switcher, must hold the required certifications.

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- Must be an authorized dealer for all major products to be supplied under this contract.
- The programmer must be certified by the manufacturer to write the code and configure the indicated audiovisual system.
- Include resumes and factory/industry certifications of all staff that may be assigned to this project. Provide an organizational chart listing the number of years (minimum of five) each person has been actively performing audiovisual work with the Proposer in their current position along with their areas of responsibility.
- Indicate if any subcontractors will be used for the performance of the work. Identify all subcontractors doing any work amounting to more than 1% of the total system price. It will be at the discretion of the Judicial Council on whether or not the identified subcontractor(s) will be approved. The Proposer shall have sole responsibility for the satisfactory implementation of each system, regardless of any subcontract arrangement.
- Proposer must have excellent communication, organizational, and people skills.
- Proposer must have the ability to prepare clear and concise written documents.

Proposer must also meet the following qualifications:

- A minimum of Certified Technology Specialist (CTS) credential from Avixa.
- Must hold a current California low voltage systems C7 Contractor's license.
- Extensive experience with A/V control systems from various vendors, e.g., AMX, Crestron, QSC, and Extron.
- Familiarity with programming and configuration of digital signal processors (DSP).
- Knowledge of Cisco equipment, converged ethernet networks.
- A minimum of an associate college degree or equivalent experience in a relevant technical field.
- The statement must address staffing resource availability, technical expertise, and the proposer's experience working with courts.
- Must be an authorized dealer for all solutions to be supplied under this contract.
- Must have successfully completed a minimum of three projects of similar scope in the past two years. Indicate the location, type of system installed, total contract amount, date completed. Include end-user names, email addresses and telephone numbers so they can be contacted as a reference.

Category Three: Provide, integrate, implement, and support digital solutions to facilitate or enhance remote and hybrid courtroom proceedings:

- Proposer's response for *digital courtroom solutions* must include the number of years the entity has been in business, and a statement explaining their capabilities to provide, implement, and support the digital courtroom solutions being proposed.
- The statement must address staffing resource availability, technical expertise, and the proposer's experience working with courts.
- The Proposer must be an authorized dealer for all solutions to be supplied under this contract.
- The Proposer must have successfully completed a minimum of three projects of similar scope in the past two years. Indicate the location, type of system installed, total contract amount, date completed. Include end-user names, email addresses and telephone numbers so they can be contacted as a reference.

3.4 Licensing. All Proposers *for audiovisual systems design and installation services*, and their sub-contractor(s), employees, or agents thereof, performing work on projects awarded under this RFP must have, when submitting a Proposal as well as at the commencement of and all times throughout the duration of their performance of any work, all appropriate, valid license(s) required under law to provide the work being performed. If the possession of any license(s) including, without limitation, a valid California C-7 Low Voltage Systems license, is required under law for the performance of the work, the Proposer must ensure that the work will be performed either by an appropriately licensed individual or under the direct supervision of an appropriately licensed individual.

3.5 Allowable Expenses. Proposer may submit for reimbursement, without mark-up, only the following categories of expense:

- 3.5.1 Preauthorized Travel and Living Expenses for travel to a location exceeding a two hundred (200) mile radius from the Proposer's designated office.
- 3.5.2 Reimbursable expenses subject to written preauthorization and approval by the Participating Entity.

3.6 Compensation for Travel and Living Expenses. Reimbursement for Travel and Living Expenses is subject to the provisions given below:

- 3.6.1 If travel expenses are allowed under Section 3.6 above: (i) all travel is subject to written preauthorization and approval by the Participating Entity, and (ii) all travel expenses are limited to the lower of the actual cost or the maximum amounts set forth in the Judicial Council's Travel and Living Expenses Guidelines (Exhibit 7 of Attachment B, Leveraged Procurement Agreement) or the hiring entity's policy including their Participating Addendum (see Exhibit 8 of Attachment B, Leveraged Procurement Agreement, for sample Participating Addendum).
- 3.6.2 Reimbursement for preauthorized and approved Travel and Living Expenses cannot be used as the basis for any other fee calculations (such as overtime premiums or administrative costs) that may be owed to Proposer.
- 3.6.3 Preauthorization requests and invoices of approved Travel and Living Expenses must be costed out in accordance with the Judicial Council's Travel and Living Expenses Guidelines.

3.7 Compensation for Overtime and Minimum Shift Duration. Except as set forth in this section, no overtime or minimum shift duration shall be reimbursed by the Participating Entity. All overtime, double time, and shift differential time shall be pre-approved in writing by the Participating Entity's project manager or designee. Unapproved overtime shall not be compensated.

- 3.7.1 The JBE may withhold full or partial payment to the Proposer in any instance in which the Proposer has failed or refused to satisfy any material obligation provided for under any resulting Agreement.

4 USE OF LEVERAGED PROCUREMENT AGREEMENT

- 4.1 Proposer will establish an individual account for any JBE that elects to request services directly from the Proposer under any Leveraged Procurement Agreement that results from this RFP.
- 4.2 Each JBE shall have the right to request goods or services under any Leveraged Procurement Agreement that results from this RFP. Pricing for goods and services shall be in accordance with the prices and fees set forth in any executed Leveraged Procurement Agreement, and pricing for the applicable work (as set forth in the Scope of

Work) may not exceed the prices and fees set forth in the Leveraged Procurement Agreement.

4.3 Any Leveraged Procurement Agreement that results from this RFP shall take precedence over any terms and conditions included on a Scope of Work, purchase order document, service work order document, Proposer's invoice, or similar document.

4.4 Requests for Goods or Services.

4.4.1 Requests for goods and services under any Leveraged Procurement Agreement will be made by the Participating Entity(s) through the issuance of a Scope of Work ("Scope of Work"), which may include all or a subset of the goods and services set forth in the Leveraged Procurement Agreement. The Scope of Work shall not include any goods and services that were not set forth and previously priced in the Leveraged Procurement Agreement. The Scope of Work will reference the specific Leveraged Procurement Agreement number and will list and describe all of the requested goods and services from the list of available goods and services offered under the Leveraged Procurement Agreement. The terms and conditions of the Leveraged Procurement Agreement shall take precedence over the terms and conditions of any Scope of Work, contract, or terms and conditions included on an invoice or like document.

4.4.2 Proposer will provide the Participating Entity(ies) with the total cost and lead time required for the product(s) and services requested via the issuance of Scope of Work by the Participating Entity(ies), including maintenance and repairs on existing systems. The total cost will itemize the cost of the services, products, installation (as applicable), and sales tax (as applicable). Proposer will coordinate the installation and/or delivery dates with the Participating Entity prior to finalizing the Scope of Work.

4.4.3 Proposer is required to maintain a staffed number for ordering, inquiries, and customer service, including requests for maintenance service.

4.5 Authorizing Goods and Services.

4.5.1 The Establishing JBE under a Leveraged Procurement Agreement may at its option place orders to authorize the Participating Entity work using a purchase order or subject to the following: such purchase order is subject to and governed by the terms of the Leveraged Procurement Agreement and any term in the purchase order that conflicts with or alters any term of the Leveraged Procurement Agreement or exceeds the scope of the work provided for in the Agreement, will not be deemed part of the contract between Proposer and that Participating Entity.

4.5.2 The Establishing JBE under a Leveraged Procurement Agreement will place orders to authorize Judicial Council work via a purchase order, described in the Judicial Council Authorization Process, added as Appendix A to Attachment B. Appendix A

to Attachment B is intended for authorization, spending of funds, and utilization by the Judicial Council only and does not modify any ordering process.

4.5.3 Participating Entities will place orders and authorize work directly from the Proposer through a Participating Addendum.

4.5.4 Proposer will provide the Judicial Council with an immediate acknowledgement of the order. The acknowledgement will be submitted by email, regardless of what method is used to issue the Scope of Work or purchase order, and will include: the products and services requested, installation dates, and contact information. If a Participating Entity is placing orders or authorizing work directly from the Proposer, the Proposer will provide the same information to that JBE.

4.6 Rejection of Goods or Acceptance of Service.

4.6.1 If a JBE requests onsite maintenance service, a designated JBE representative (“JBE Representative”) will review any completed maintenance or repairs and approve by signing Proposer’s service report. The JBE Representative must then be given a copy of this approved Proposer’s service report.

4.6.2 Proposer shall arrange for the return of all mis-ordered, mis-shipped, returned, or damaged items at no cost to the JBE. There will be no restocking fee for returns of items that are damaged or shipped by the Proposer in error. Proposer shall not charge the JBE for the return of any mis-ordered, mis-shipped, or damaged items.

4.7 Project Performance: Facilities Work.

4.7.1 Court Defined. The term “Court” as used in this section shall refer to any Participating Entity but does not include the Judicial Council.

4.7.2 **Compliance.** The Court shall at all times be responsible for the performance of the Project in compliance with all Applicable Law.

4.7.3 **Facilities Modifications Policy.** Any aspect of the Project that consists of or may include Facilities Work shall comply with the Judicial Council's *Trial Court Facility Modifications Policy* (if so required), revised March 15, 2019, as may be revised from time to time and is incorporated herein by this reference, which is available at the following link:

<https://www.courts.ca.gov/documents/jc-facility-modification-policy.pdf>

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5 TIMELINE FOR THIS RFP

The following is a list of key events related to this RFP. All dates are subject to change at the discretion of the JCC.

Proposed Procurement Schedule

EVENT	DATE
JCC, on behalf of the JBEs, issues RFP	July 19, 2024
Deadline for questions submitted to TCSolicitation@jud.ca.gov	July 26, 2024, by 3:00 PM Pacific Time
Questions and answers posted at www.courts.ca.gov/rfps.htm (<i>estimate only</i>)	August 2, 2024
<p>Final proposal due date and time: Non-cost (Technical) and Cost Proposals are submitted in different mailboxes, please see below:</p> <p>Non-cost (Technical) Proposal Only must be submitted to- ms2024-01.tech@jud.ca.gov</p> <p>Cost Proposal Only must be submitted to- ms2024-01.fee@jud.ca.gov</p>	August 14, 2024, by 3:00 PM Pacific Time
Evaluation of proposals (<i>estimate only</i>)	August 16, 2024
<p>Anticipated interview dates (<i>estimate only</i>) Meeting format to be provided.</p>	<p>August 19 - 23, 2024 From: 1:00PM-5:00PM Pacific Time.</p> <p>One hour will be allotted per vendor.</p>
Non-Cost scores posted on the JCC website (<i>estimate only</i>)	August 28, 2024

EVENT	DATE
<p>Public cost opening may be viewed via Microsoft Teams at 1:00 p.m. (Pacific Time), using the following URL and meeting number,</p> <p>Microsoft Teams Need help?</p> <p>Join the meeting now</p> <p>Meeting ID: 255 045 913 826 Passcode: Xv8qZc</p>	<p>August 30, 2024, at 1:00 PM Pacific Time</p>
<p>Dial in by phone +1 415-906-0569,,153161960# United States, San Francisco Find a local number Phone conference ID: 153 161 960#</p> <p>Join on a video conferencing device Tenant key: 178332609@teams.bjn.vc Video ID: 112 725 461 6 More info For organizers: Meeting options Reset dial-in PIN</p>	
<p>Notice of Intent to Award (<i>estimate only</i>)</p>	<p>September 6, 2024</p>
<p>Master Agreement executed by this deadline (<i>estimate only</i>)</p>	<p>January 1, 2025</p>

6 SUBMITTAL OF QUESTIONS

Written Questions. Proposers may submit written questions using Attachment E. Such questions must be submitted on or before the due date specified for submission of questions in the Timeline schedule provided in this RFP. If the Judicial Council deems it necessary in response to the questions submitted, changes may be made to this RFP and an updated version will be posted to the RFP web posting prior to the due date for Proposals via addendum. Written questions must be submitted by e-mail to the following address:

TCSolicitation@jud.ca.gov

Please include the following as the subject line of your email:

“Q&A RFP-TCAS-2024-01-MS

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7 RFP ATTACHMENTS

The following attachments are included as part of this RFP (*note: all attachments are posted to the RFP website as separate documents*):

ATTACHMENT	DESCRIPTION
Attachment A: Administrative Rules Governing RFPs (IT Goods and Services)	These rules govern this solicitation.
Attachment B: JCC Standard Terms and Conditions (Leveraged Procurement Agreement sample)	If selected, the person or entity submitting a proposal (the “Proposer”) must sign a Leveraged Procurement Agreement containing these terms and conditions (the “Terms and Conditions”).
Attachment C: Regional Map	This map shows the designated California regions under this solicitation and the identifies the counties assigned to each region.
Attachment D: Regional Service Area Checklist	The Proposer must complete this form to indicate the service location(s) the Proposer is capable and willing to provide services.
Attachment E: Form for Submission of Questions	The Proposer shall use this form to submit questions (if applicable) to Judicial Council prior to deadline listed on the Timeline section of this RFP.
Attachment F: 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. Note: Any material exceptions to the Terms and Conditions (Attachment B) will render a proposal non-responsive.
Attachment G: General Certifications Form	The Proposer must complete the General Certifications Form and submit the completed form with its Proposal.
Attachment H: Darfur Contracting Act Certification Form	The Proposer must complete the Darfur Contracting Act Certification and submit the completed certification with its Proposal.
Attachment I: Unruh and FEHA Certification Form	The Proposer must complete the Unruh Civil Rights Act and California Fair Employment and Housing Act Certification.
Attachment J: Bidder Declaration Form	The Proposer must complete this form only if it wishes to claim the disabled veteran business enterprise (DVBE) incentive associated with this solicitation.
Attachment K: DVBE Declaration Form	Each DVBE that will provide goods and/or services in connection with the contract must complete this form. If Proposer is itself a DVBE, it must also complete and sign the DVBE Declaration.
Attachment L: Small Business Declaration Form	The Proposer must complete this form only if it wishes to claim the small business preference associated with this solicitation.

ATTACHMENT	DESCRIPTION
Attachment M: DIR Proposer Registration Statement	The Proposer must complete this form to provide the Proposer’s DIR Public Works Contractor Registration number, as well as those of any identified subcontractors.
Attachment N: Cost Proposal Form	The Proposer must list its proposed pricing for each of the services described in this solicitation and include in submission of Cost Proposal.
Payee Data Record (STD 204)	This form contains information the State of California requires in order to process payments and must be submitted with the Proposal.
Payee Data Record Supplement (STD 205)	This form is optional and is used to provide remittance address information if different than the mailing address on the Payee Data Record, for multiple remittance addresses, and additional Authorized Representatives of the Payee not identified on the STD 204.

8 SUBMISSION OF PROPOSALS

8.1 Proposals should provide straightforward, concise information that satisfies the requirements of the “Proposal Contents” section below. Only electronic submissions will be accepted. Emphasis should be placed on conformity to the RFP’s instructions and requirements, and completeness and clarity of content. Please only submit documentation which has been specified in this RFP. Materials sent which fall outside of that specified within this RFP may not be considered in Proposal scoring.

8.2 This RFP process and Timeline are subject to change at any time. Changes will be posted to the RFP website (<http://www.courts.ca.gov/rfps.htm>), and no other notifications of changes will be provided. Prospective Proposer’s are urged to consult the website in a timely manner to remain apprised of any changes. Staying abreast of changes regarding this RFP is the sole responsibility of the Proposer. The Judicial Council will not address individual parties directly during this RFP’s solicitation period.

8.3 Proposal Format. The Judicial Council will only accept Proposals in an electronic format. The Proposer must submit its Proposal in two parts, the Non-Cost (Technical) Proposal and the Cost Proposal.

8.3.1 **NON-COST (TECHNICAL) PROPOSAL:** The Proposer must submit **one (1) electronic file** of the non-cost Proposal using pdf format. The non-cost portion of the Proposal must be submitted to the Judicial Council in an electronic file, separate from the cost portion. The Proposer must include the RFP number and ‘technical’ in the name of the electronic file. **The Proposer shall make an effort to compress the non-cost Proposal file to less than 20MB in size and submit one (1) electronic file of the non-cost Proposal using PDF or Word format. If the file cannot be reduced to below 20MB, then the Proposer shall divide the file into 20MB increments and send over multiple emails.**

8.3.2 **COST PROPOSAL**: The Proposer must submit **one (1) electronic file** of the cost Proposal using PDF, Word, or an Excel format. The cost portion of the Proposal must be submitted to the Judicial Council in an electronic file, separate from the non-cost portion. The Proposer must include the RFP number and ‘cost’ in the name of the electronic file.

8.3.3 For electronic submission of Proposals, Proposals must be delivered by the date and time listed on the coversheet of this RFP but no more than three (3) days in advance of the Proposal due date to the following email addresses:

For Non-Cost Proposal email to: ms2024-01.tech@jud.ca.gov

For Cost Proposal email to: ms2024-01.fee@jud.ca.gov

Indicate the RFP number and name of Proposer’s organization in the subject line of the email.

8.3.4 **Submission Timelines.** The due date and time for submission of Proposals can be found in the most recent version of the RFP Timeline posted to the California Courts’ website (<http://www.courts.ca.gov/rfps.htm>) at which this RFP is posted. Please keep abreast of changes to the RFP Timeline by monitoring the website throughout the duration of the Proposal, evaluation, and award processes. Late Proposals will not be accepted.

9 PROPOSAL CONTENTS

9.1 **Non—Cost (Technical) Proposal.** The following information must be included in the technical Proposal. A Proposal lacking any of the following information may be deemed non-responsive.

9.1.1 The Proposer’s name, address, telephone 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.

9.1.2 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.

9.1.3 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.

9.1.4 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.

- 9.1.5 Proposed method to complete the work.
- 9.1.6 **Regional Scope:** Include a description of the Proposer firm's ability or limitations to provide State-wide or regional services as indicated by resources and staffing. Limit the description to one page. See Map in Attachment C.
- 9.1.7 Proposals that include hardware and equipment must include in Attachment N:
- Manufacturer of hardware equipment vendor is authorized to sell.
 - Discount, if any, off Manufacturers Suggested Retail Price (MSRP), as a percentage.
 - Maximum markup/overhead added to MSRP, as a percentage.
 - If shipping is included in the pricing.
 - If shipping is not included, provide a statement of how shipping costs are estimated.
- 9.1.8 Proposals that include digital courtroom solutions must include in Attachment N:
- Pricing for each proposed digital solution product, based on a per-seat licensing cost, in attachment N.
 - All EULAs governing the digital solutions.
 - A description of its methodology for designing, implementing, and testing digital solutions post-implementation.
 - A breakdown of labor categories, hourly rate, and service areas for solution implementation. If work is to be performed remotely, this should be noted on the proposal.
 - A description of how training will be provided to local court staff at the time of installation and on an on-going basis, as requested by the court.
 - Respondent must detail how it will provide technical support between the hours of 7:30 a.m. and 5:30 p.m. Pacific Time Zone, Monday through Friday (excluding federal and state holidays).
 - Respondent must describe its process for troubleshooting and resolving issues with the courtroom technology installation, including response times.

9.2 Acceptance of the Terms and Conditions.

- 9.2.1 On Attachment F, 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.
- 9.2.2 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.

NOTE: A material exception (addition, deletion, or other modification) to any language in Attachment B, JCC Standard Terms and Conditions, will render a Proposal non-responsive. The Judicial Council, in its sole discretion, will determine what constitutes a material exception. (Note: Acceptance of Terms and Conditions is worth 10 points).

9.3 Certifications, Attachments, and other requirements.

- 9.3.1 The Proposer is required to complete and sign the following certification forms and submit signed forms with its Proposal:
- Regional Service Area Checklist (Attachment D).
 - Proposer Acceptance of Terms and Conditions (Attachment F).
 - General Certifications Form (Attachment G).
 - Darfur Contracting Act Certification (Attachment H).
 - Unruh Civil Rights Act and California Fair Employment and Housing Act Certification (Attachment I).
 - Disabled Veteran Business Enterprise (DVBE) Bidder Declaration (Attachment J) only if it wishes to claim the DVBE incentive associated with this solicitation.
 - DVBE Declaration Form (Attachment K) for each DVBE that will provide goods and/or services in connection with the contract.
 - Small Business Declaration (Attachment L), only if it wishes to claim the small business preference.
 - DIR Proposer Registration Statement (Attachment M).
- 9.3.2 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.

- 9.3.3 If Proposer is a California corporation, limited liability company (“LLC”), limited partnership (“LP”), or limited liability partnership (“LLP”), proof that Proposer is in good standing in California. If Proposer is a foreign corporation, LLC, LP, or LLP, and Proposer conducts or will conduct (if awarded the contract) intrastate business in California, proof that Proposer is qualified to do business and in good standing in California. If Proposer is a foreign corporation, LLC, LP, or LLP, and Proposer does not (and will not if awarded the contract) conduct intrastate business in California, proof that Proposer is in good standing in its home jurisdiction.
- 9.3.4 Copies of the Proposer’s (and any subconsultants’) current business licenses, California Proposer license, professional certifications, or other credentials.
- 9.3.5 Payee Data Record: A separately printed and signed original Payee Data Record, completed in the exact name of the business entity under which you propose to do business with the Judicial Council.

9.4 **Cost Proposal.** The cost portion of the Proposal will be completed on Attachment N, Cost Proposal Form. The Proposer is required to complete and include the Cost Proposal Form with the Proposal.

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

10 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.

11 EVALUATION OF PROPOSALS

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 proposals.

CRITERION	MAXIMUM NUMBER OF POINTS
Qualifications by category of submittals	20

CRITERION	MAXIMUM NUMBER OF POINTS
Overall experience in performing similar services and projects	20
Regional Scope: Ability of firm to provide state-wide or regional services as indicated by resources and staffing. In reference to the JCC Regional Office Locations (Map) and selected categories audiovisual Services.	20
DVBE Incentive (RFP section 17)	5
Cost (Attachment N)	25
Acceptance of Terms and Conditions	10

If the Judicial Council intends to award a contract, the Judicial Council will post a Notice of Intent to Award at <https://www.courts.ca.gov/rfps.htm>

Before the Proposal due date and time listed in the Timeline of the RFP, the Judicial Council may cancel the RFP for any or no reason. After the Proposal due date and time listed in the timeline of the RFP, the JBE may reject all Proposals and cancel the RFP if the Judicial Council determines that: (i) the Proposals received do not reflect effective competition; (ii) the cost is not reasonable; (iii) the cost exceeds the amount expected; or (iv) awarding the contract is not in the best interest of the JBE for any reason.

12 INTERVIEWS

The Judicial Council may, at its discretion, hold interviews via conference and video call with Proposers to clarify aspects set forth in their Proposals or to assist in finalizing the ranking of top-ranked Proposals. The interviews will be conducted by Microsoft Teams video call. The Judicial Council will not reimburse Proposers for any costs incurred in participating in the interview. The Judicial Council will notify eligible Proposers regarding interview arrangements.

13 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. Except as required by law, 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, or as otherwise required by law. Such disclosure may be made regardless of whether the Proposal (or portions thereof) is marked “confidential,” “proprietary,” “copyright ©,” 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. Submission of any Proposal pursuant to this RFP constitutes acknowledgment and consent by the Proposer to the potential public disclosure of its Proposal content, pursuant to this Section. Proposers are accordingly cautioned not to include confidential, proprietary, or privileged information in Proposals.

14 SMALL BUSINESS DECLARATION

- 14.1 Small business participation is not mandatory. Failure to qualify for the small business preference will not render a Proposal non-responsive.
- 14.2 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.
- 14.3 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.
- 14.4 If the Proposer wishes to seek the small business preference, the Proposer must complete and submit with its Proposal the Small Business Declaration (Attachment L). The Proposer must submit with the Small Business Declaration all materials required in the Small Business Declaration.
- 14.5 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.
- 14.6 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 MISREPRESENTATION IN CONNECTION WITH THE SMALL BUSINESS PREFERENCE IS UNLAWFUL AND IS PUNISHABLE BY CIVIL PENALTIES. SEE GOVERNMENT CODE SECTION 14842.5.

15 DISABLED VETERAN BUSINESS ENTERPRISE INCENTIVE

- 15.1 Qualification for the DVBE incentive is not mandatory. Failure to qualify for the DVBE incentive will not render a Proposal non-responsive.
- 15.2 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 13 above.
- 15.3 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").
- 15.4 If Proposer wishes to seek the DVBE incentive:
 - 15.4.1 Proposer must complete and submit with its Proposal the Bidder Declaration (Attachment J). Proposer must submit with the Bidder Declaration all materials required in the Bidder Declaration.
 - 15.4.2 Proposer must submit with its Proposal a DVBE Declaration (Attachment K) 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.
- 15.5 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.
- 15.6 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.
- 15.7 If Proposer receives the DVBE incentive: (i) Proposer will be required to complete a post-contract DVBE certification if DVBE subconsultants 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 MISREPRESENTATION 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.

16 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). However electronic submissions will be permitted. Failure of a Proposer to comply with the protest procedures set forth in that chapter, with the exception of being permitted to submit a protest or appeal electronically, 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 two days before the proposal due date. Protests must be sent electronically to: TCSolicitation@jud.ca.gov

17 PREVAILING WAGES

- 17.1 **Proposer** warrants and certifies that it is aware of the provisions of California Labor Code section 1720 et seq. (“Prevailing Wage Laws”) that require the payment of prevailing wage rates and the performance of other requirements on certain “public works” and “maintenance” projects, as set forth and defined therein. Since the Proposer may be performing Services as part of or in conjunction with an applicable “public works” or “maintenance” project, and since the total compensation may be One Thousand Dollars (\$1,000) or more, the Proposer agrees to fully comply with, and to require its Subconsultant(s) to fully comply with, all applicable Prevailing Wage Laws including, without limitation, the terms of this Section.
- 17.2 All Proposers and subconsultant(s) shall pay all workers on work performed pursuant to the Agreement not less than the general prevailing rate of per diem wages and the general prevailing rate for holiday and overtime work as determined by the Director of the Department of Industrial Relations, State of California, for the type of work performed and the locality in which the work is to be performed, pursuant to sections 1770 et seq. of the California Labor Code. Copies of the general prevailing rates of per diem wages for each craft, classification, or type of worker needed to execute the Agreement, as determined by Director of the State of California Department of Industrial Relations, are on file at the Judicial Council’s principal office. Prevailing

wage rates are also available from the Judicial Council or on the internet at (<http://www.dir.ca.gov>).

- 17.3 **Proposer shall ensure that Proposer and all Subcontractors execute the Prevailing Wage and Related Labor Requirements Certification (attached as Appendix C to Attachment B, Leveraged Procurement Agreement) and incorporated herein.**
- 17.4 **All** work is subject to compliance monitoring and enforcement by the Department of Industrial Relations. Proposer shall post job site notices, as prescribed by regulation. Proposer shall comply with all requirements of Labor Code section 1771.4, except the requirements that are exempted by the Labor Commissioner for the work.
- 17.5 Proposer shall comply with the registration and compliance monitoring provisions of Labor Code section 1771.4, including furnishing its certified payroll records to the Labor Commissioner of California and complying with any applicable enforcement by the Department of Industrial Relations.
- 17.6 **Registration** with the Department of Industrial Relations is required for this Project at the time of Proposal submission. Failure to be currently registered at the time of Proposal submission will result in disqualification.

Labor Code section 1771.1(a) states the following:

“A contractor or subcontractor shall not be qualified to bid on, be listed in a bid proposal, subject to the requirements of Section 4104 of the Public Contract Code or engage in the performance of any contract for public work, as defined in this chapter, unless currently registered and qualified to perform public work pursuant to Section 1725.5. It is not a violation of this section for an unregistered Proposer to submit a bid that is authorized by Section 7029.1 of the Business and Professions Code or by Section 10164 or 20103.5 of the Public Contract Code, provided the contractor is registered to perform public work pursuant to Section 1725.5 at the time the contract is awarded.”

Proposer shall and shall ensure that all “subcontractor” (as defined by Labor Code section 1722.1), comply with Labor Code section 1725.5, including without limitation the registration requirements with the Department of Industrial Relations that are set forth in Labor Code section 1725.5. Proposer represents to the Judicial Council that all “subconsultants” (as defined by Labor Code section 1722.1) are registered pursuant to Labor Code section 1725.5. Proposer shall not permit any Subconsultant to perform Work on the Project, without first verifying the Subconsultant is properly registered with the DIR as required by law and providing this information in writing to the Judicial Council. Proposer acknowledges that, for purposes of Labor Code section 1725.5, this Work is public work to which Labor Code section 1771 applies.

18 CONTRACT TERMS AND ADMINISTRATIVE REQUIREMENTS

- 18.1 All submitted Proposals shall constitute and be an irrevocable offer by the Proposer that is valid for (90) days following the Proposal due date. In the event a final contract has not been awarded within this (90) day period, the Judicial Council reserves the right to negotiate extensions to this period with Proposers. The Judicial Council may release all offers not selected under this RFP upon issuance of Notice of Intent to Award.
- 18.2 Contracts with successful firms will be formed according to the Leveraged Procurement Agreement form included in Attachment B, which has been provided on the website posting of this RFP. The initial term of this contract will be for three (3) years, beginning approximately on January 1, 2025 (2) subsequent one (1)-year extensions may be offered at the discretion of the Judicial Council. Note that during the subsequent terms, if any, rates shall be adjusted based on the California Bureau of Labor Statistics' Consumer Price Index increase for the preceding twelve (12) months prior to the increase becoming effective.
- 18.3 If a satisfactory contractual agreement has not been signed within 30 calendar days of provision of a contract draft, the Judicial Council reserves the right to terminate the award.
- 18.4 The Proposer selected under this RFP will not be precluded from consideration nor given special status in any future requests for proposals issued by the Judicial Council.
- 18.5 **Provision of the Work.** Work shall be provided in accordance with purchase orders or to be issued by the JBEs under the Leveraged Procurement Agreement resulting from this procurement and shall be subject to the provisions of the Leveraged Procurement Agreement accompanying this RFP, including any additional provisions specified in the purchase orders or with regard to schedule, key personnel, and subconsultants.
- 18.6 **Compensation.** The method of compensation will vary on an order-by-order basis. See the Leveraged Procurement Agreement posted with this RFP for details.
- 18.7 **Judicial Council Administrative Rules Governing RFPs**
- 18.7.1 The Judicial Council's Administrative Rules Governing the RFP are located in Attachment A. By virtue of submission of a Proposal, the Proposer agrees to be bound by said Administrative Rules.
- 18.7.2 The Judicial Council reserves the right to reject any and all Proposals, in whole or in part, as well as the right to issue similar requests for proposals in the future. This RFP is in no way an agreement, obligation, or contract and in no way is the

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Judicial Council or the State of California responsible for the cost of preparation or any expenses incurred for official files and becomes public record.

END OF RFP