



Judicial Council of California
ADMINISTRATIVE OFFICE OF THE COURTS

FINANCE DIVISION

455 Golden Gate Avenue • San Francisco, California 94102-3688
Telephone 415-865-7960 • Fax 415-865-4325 • TDD 415-865-4272

RONALD M. GEORGE
Chief Justice of California
Chair of the Judicial Council

WILLIAM C. VICKREY
Administrative Director of the Courts

RONALD G. OVERHOLT
Chief Deputy Director

STEPHEN NASH
Director, Finance Division

TO: POTENTIAL BIDDERS

FROM: Administrative Office of the Courts
Finance Division

DATE: November 19, 2008

SUBJECT/PURPOSE OF MEMO: REQUEST FOR PROPOSALS
The Court Interpreters Program (CIP) seeks a consultant to conduct a study of language need and interpreter use in the trial courts. The preferred consultant will have staff expertise in court procedures (both civil and criminal) and the use of interpreters in court proceedings, experience with quantitative and qualitative research methodologies and trend analysis. Findings and recommendations from this study will assist in the designation of languages to be included in the California Court Interpreter Certification Program.

ACTION REQUIRED: You are invited to review and respond to the attached Request for Proposals (“RFP”):

Project Title: 2010 Language Need and Interpreter Use Study
RFP#: EDP-0860802-RB

PROPOSAL DUE DATE: **Proposals must be received by 3 p.m. on December 22, 2008. Please refer to Section 3.1 of this RFP for additional key events and dates.**

SUBMISSION OF PROPOSAL: Proposals must be sent to:
Judicial Council of California
Administrative Office of the Courts
Attn: Nadine McFadden, EDP-0860802-RB
455 Golden Gate Avenue
San Francisco, CA 94102

FOR FURTHER INFORMATION: E-MAIL: Solicitations@jud.ca.gov (Refer to section 3.1 of this RFP for submission of questions)

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1.0 GENERAL INFORMATION

1.1 Background

- 1.1.1 The Judicial Council of California, chaired by the Chief Justice of California, is the chief policy making agency of the California judicial system. The California Constitution directs the Council to improve the administration of justice by surveying judicial business, recommending improvements to the courts, and making recommendations annually to the Governor and the Legislature. The Council also adopts rules for court administration, practice, and procedure, and performs other functions prescribed by law. The Administrative Office of the Courts (AOC) is the staff agency for the Council and assists both the Council and its chair in performing their duties.
- 1.1.2 The Administrative Office of the Courts (AOC) is located in San Francisco. It is comprised of ten divisions, including the Executive Office Programs Division, which houses the Judicial Council's Court Interpreter Program. The Court Interpreter Program (CIP) oversees the testing, certification and registration process for statewide qualification of court interpreters, as well as other administrative functions such as statewide recruitment to insure coverage for court proceedings requiring interpreter services.
- 1.1.3 The CIP staff works to increase access to the courts for non-English speaking persons by improving the quality of interpreting and increasing the number and availability of certified and registered interpreters in the trial courts. CIP services include interpreter recruitment, certification or registration, education and compliance.
- 1.1.4 Additional information about California's Court Interpreter Program (CIP), including the *2005 Language Need and Interpreter Use Study*, may be found at the CIP website
<http://www.courtinfo.ca.gov/programs/courtinterpreters/>

A recent exploratory study of interpreter services in civil cases in California may be found at:

http://www.courtinfo.ca.gov/reference/4_19interp.htm

1.2 General Program Context

- 1.2.1 California's Constitution mandates the provision of court interpreters for limited English proficiency defendants and witnesses in criminal proceedings. Federal law requires the provision of interpreters for the deaf and hard of hearing in all court proceedings, both criminal and civil, as a disability accommodation.
- 1.2.2 The need for qualified interpreters in California is pressing, and it is growing with the increasing racial and ethnic diversity of the state's population. Approximately 40% of California's population speaks a language other than English in the home. This includes over 200 languages and dialects. Roughly 20% of Californians speak English less than "very well," which effectively excludes them from meaningful participation in a judicial proceeding without substantial language assistance. (All data is from the U.S. Census Bureau.)
- 1.2.3 The *2005 Language Need and Interpreter Use Study*, which is located at <http://www.courtinfo.ca.gov/programs/courtinterpreters/>, reports that "the top 14 languages by days of interpreter service were Spanish (160,396), Vietnamese (8,477), Korean (3,743), Armenian (3,093), Mandarin (2,439), Khmer (Cambodian) (2,365), Cantonese (2,320), Hmong and Mien (1,824), Russian (1,789), Tagalog (1,215), Farsi (1,072), Punjabi (1,032), Lao (1,011), and Japanese (601). These statistics show the overwhelming predominance of Spanish as the most highly-needed language in the California courts, representing almost 84% of the interpreter service days for the 14 top languages.
- 1.2.4 The Judicial Council has designated for certification American Sign Language (ASL) and 14 spoken languages. Designation signifies that the level of need for interpretation in the courts for a given language is great enough to justify the development of bilingual oral interpreting exams to certify individuals providing interpretation in court proceedings. The currently designated spoken languages with Court Interpreter Certification Examinations include Arabic, Eastern Armenian, Western Armenian, Cantonese, Japanese, Korean, Mandarin, Portuguese, Russian, Spanish, Tagalog, and Vietnamese. Punjabi and Khmer have been designated by the Council, but certification tests for these languages have not yet been developed.
- 1.2.5 Every five years the Judicial Council is required under Government Code § 68563 to conduct a study of spoken language need and interpreter use in the trial courts. In accordance with § 68563, the Judicial Council is responsible for designating languages to include in the California Court

Interpreter Certification Program. Decisions regarding the designation of languages are based on several components of the Language Need and Interpreter Use Study, including: statewide and regional use of interpreters in the trial courts, including use in specific proceedings and use in specific events within a proceeding; the language needs of limited English proficiency (LEP) court users, and demographic trends in immigration patterns that influence potential increases or declines in interpreter use.

- 1.2.6 For the purposes of this study, “interpreter use” will include but not be limited to: spoken language use/ASL use, proceeding, event type, interpreter status (including employment and certification status), half-day or full-day assignments, and actual time spent on interpreted activities. Mandated and non-mandated proceedings will include but not be limited to: criminal, delinquency, dependency, domestic violence, conservatorship, guardianship, unlawful detainer, and small claims proceedings. Event types will include but not be limited to: trials, arraignments, client/attorney interviews, preliminary hearings, and disposition hearings.
- 1.2.7 To better inform future decisions regarding interpreter use for the hearing impaired or deaf court users, as well as interpreter use for non-mandated civil proceedings, the 2010 Language Need and Interpreter Use Study will include data collection and analysis of ASL and deaf interpreter use and data collection only, for future analysis, of incidental interpreter use in non-mandated civil proceedings.
- 1.2.8 California’s 58 trial courts are divided into four regions for the statewide delivery of court interpreter services. A map showing the counties contained within each region is provided in Attachment F. The use of the term “regional” throughout this RFP refers to this specific division of California’s trial courts.

2.0 PURPOSE OF THIS RFP

- 2.1 The AOC seeks the services of a consultant with project staff expertise in analysis of both civil and criminal court proceedings, qualitative and quantitative research methodologies; and trend analysis. Knowledge of court interpreter use in the California court system is desirable.
- 2.2 The consultant will be expected to develop qualitative and quantitative data collection protocols to determine the statewide and regional use of American Sign Language (ASL) and spoken language interpreters in mandated proceedings in California trial courts during the period 2004 through 2008. The consultant will also be expected to develop data collection protocols for a study of actual time

spent on interpreted activities for a predetermined time in a sample number of courts.

- 2.3 Statewide data collection for mandated proceedings should include the use of spoken language court interpreters in criminal, delinquency, dependency, and domestic violence proceedings. Statewide data collection for ASL should include the use of ASL interpreters in all trial court proceedings. Data collection for the incidental use of interpreters in non-mandated civil proceedings should include spoken language interpreter use in sample courts for conservatorship, guardianship, unlawful detainer, and small claims proceedings.
- 2.4 The consultant will be expected to report on interpreter activity within trial court caseloads, by state and region, including the following elements:
 - 2.4.1 Analysis of spoken languages used statewide and by region, per year;
 - 2.4.2 Analysis of ASL and spoken language interpreter use by proceeding and event type, statewide and by region, per year;
 - 2.4.3 The number, types of proceedings and category of client (defendant, witness, juror, family member, victim) requiring ASL interpreters, statewide and by region, per year;
 - 2.4.4 The average number of actual hours spent on interpreted activities per proceeding and event type for a predetermined limited time study in sample courts;
 - 2.4.5 Average use of full-day and half-day assignments statewide and by region;
 - 2.4.6 Statewide and regional use of cross-assignments by language;
 - 2.4.7 Analysis of interpreter use by status, including employee, opt-out independent contractor, or independent contractor status, and certified/registered or provisionally qualified status, statewide and by region, by language, proceeding, and event type by year;
 - 2.4.8 The number and types of proceedings requiring multiple interpreters, including interpreters for multiple defendants, relay interpretation, and team interpretation statewide and by region;
 - 2.4.9 Analysis of statewide and regional use of remote interpreting technology, including Language Line and other telephonic interpreting by language, proceeding, and event type; and
 - 2.4.10 The average number and types of civil proceedings with self-represented litigants spoken language interpreters used for a predetermined limited timeframe in sample courts.
- 2.5 Statewide data will be collected using information captured in the Court Interpreter Data Collection System (CIDCS) and other independent data systems

used by individual trial courts. Data elements not captured in the various systems may be obtained through other methodologies, including but not limited to: interviews and focus groups with court staff from a sample of courts, a study of actual time spent on interpreted activities for a sample number of courts representative of the four regions, and a statewide survey.

- 2.6 In addition to interpreter activity in court proceedings, the consultant will be expected to conduct a number of statewide demographic analyses that will assist the Judicial Council in determining which languages should be designated for inclusion in the California Court Interpreter Certification Program and/or languages that should be considered for de-designation.

3.0 RFP SCHEDULE AND GENERAL INSTRUCTIONS

- 3.1 The AOC has developed the following list of key events and dates from issuances of this RFP through commencement of contracted services. All key events and dates are subject to change at the AOC’s sole discretion.

<i>Key Event No.</i>	<i>Event Description</i>	<i>Key Dates</i>
1	RFP Posted	11/18/08
2	Deadline for Bidders Questions	12/2/08
3	AOC Posts Clarification / Response to Bidders Questions	12/9/08 (estimated)
4	Proposal Due Date and Time	12/22/08 3 pm PST
5	Evaluation of Proposals	12/22/08 – 1/9/09
6	Notification of Finalists	1/14/09 (estimated)
7	Finalist Interviews & Presentations (if needed)	1/21/09
8	Notice of Intent to Award Contract	1/26/09 (estimated)
9	Negotiations	1/26 -2/9/09 (estimated)
10	Execution of Contract	2/9/09 (estimated)
11	Notice of Contract Award	2/9/09 (estimated)
12	Commencement of Contracted Services	2/15/09 (estimated)

- 3.2 The RFP and any addenda that may be issued, including responses to proposers' requests for clarification or modification, will be made available on the following website:

<http://www.courtinfo.ca.gov/reference/rfp> (Courtinfo web site)

3.3 Request for Clarifications or Modifications

- 3.3.1 Vendors interested in responding to the solicitation may submit questions by e-mail only on procedural matters related to the RFP or requests for clarification or modification of this solicitation document, including questions regarding the Terms and Conditions in Attachment B, to the Solicitations mailbox referenced below. If the vendor is requesting a change, the request must state the recommended change and the vendor's reasons for proposing the change.

Solicitations mailbox: solicitations@jud.ca.gov

- 3.3.2 All questions and requests must be submitted by e-mail to the Solicitations mailbox and received no later than the date and time specified in Section 3.1 above. Questions or requests submitted after the due date will not be answered.
- 3.3.3 All e-mail submissions sent to the Solicitations mailbox MUST contain the RFP number and other appropriate identifying information in the e-mail subject line. In the body of the e-mail message, always include paragraph numbers whenever references are made to content of this RFP. Failure to include the RFP number as well as other sufficient identifying information in the e-mail subject line may result in the AOC's taking no action on a vendor's e-mail submission.
- 3.3.4 Without disclosing the source of the question or request, the AOC Contracting Officer will post a copy of both the questions and the AOC's responses on the Courtinfo Web site.
- 3.3.5 If a vendor's question relates to a proprietary aspect of its proposal and the question would expose proprietary information if disclosed to competitors, the vendor may submit the question in writing, conspicuously marking it as "CONFIDENTIAL." With the question, the vendor must submit a statement explaining why the question is sensitive. If the AOC concurs that the disclosure of the question or answer would expose proprietary information, the question will be answered, and both the question and answer will be kept in confidence. If the AOC does not concur regarding the proprietary nature of the question, the question will not be answered in this manner and the vendor will be so notified.

4.0 RFP ATTACHMENTS

4.1 The following documents are incorporated into this Request For Proposals (RFP) by reference:

Attachment A -	Administrative Rules Governing Request For Proposals
Attachment B -	Terms and Conditions
Attachment C -	Contract Exceptions Form
Attachment D -	Payee Data Record
Attachment E -	DVBE Participation Form
Attachment F -	Court Interpreter Regions Map

4.2 Attachment A, Administrative Rules Governing Request for Proposals. Proposers shall follow the rules, set forth in Attachment A, in preparation of their proposals.

4.3 Attachment B, Terms and Conditions. Contracts with successful firms will be signed by the parties on a State of California Standard Agreement form and will include terms appropriate for this project. Terms and conditions typical for the requested services are attached as Attachment B and include the following provisions:

- Exhibit A, Standard Provisions.
- Exhibit B, Special Provisions.
- Exhibit C, Payment Provisions.
- Exhibit D, Work To Be Performed.
- Exhibit E, Contractor's Key Personnel. (To Be Determined)

4.4 Attachment C, Contract Exceptions Form. Proposers must either indicate acceptance of the Agreement Terms, as set forth in Attachment B, or clearly identify exceptions with a written summary of relevance and rationale to substantiate each proposed change.

4.5 Attachment D, Payee Data Record Form. The AOC is required to obtain and keep on file, a completed Payee Data Record for each vendor prior to entering into a contract with that vendor. Therefore, proposer's proposal must include a completed and signed Payee Data Record Form, set forth as Attachment D.

4.6 Attachment E, DVBE Participation Form. All proposers must complete and submit the DVBE Participation Form, regardless of its ability to meet the goal.

4.7 Attachment F, Court Interpreter Region Map. California's 58 trial courts are divided into four regions for the statewide delivery of court interpreter services.

The use of the term “regional” throughout this RFP refers to this specific division of California’s trial courts.

5.0 SCOPE OF SERVICES

- 5.1 It is expected that the total cost for consultant services will be in the range of \$150,000.00 to \$175,000.00 inclusive of personnel, materials, computer support, travel, lodging, per diem, and overhead rates. Services are expected to be performed by the consultant from February 2009 - June 2010.
- 5.2 See Attachment B, Terms and Conditions, Exhibit D, Work To Be Performed, for the Work Requirements and Scope of Work specifications.
- 5.3 There is a possibility the AOC may need additional work performed at a later date related to the analysis of the non-mandated data collected in Deliverable 3. If the additional work is needed, the AOC will request a separate quote based on the proposed hourly rates in Section 8 and a more definitive scope of work and specifications. To perform the additional work, at this time, it is estimated that the costs would be in the range of \$25,000 to \$40,000 inclusive of personnel, materials, computer support, travel, lodging, per diem, and overhead rates. The AOC may exercise an option to extend the agreement to perform this additional work.

6.0 SPECIFICS OF A RESPONSIVE PROPOSAL

- 6.1 Responsive proposals should provide straightforward, concise information that satisfies the requirements noted above. Expensive bindings, color displays, and the like are not necessary or desired. Emphasis should be placed on conformity to the state’s instructions, requirements of this RFP, and completeness and clarity of content.
- 6.2 Proposal Content and Format – The proposal must be clear and well-organized by section and contain the following information:
 - Section 1: Title page, containing the proposer’s single point of contact name, address, telephone, fax number, and e-mail address.
 - Section 2: Description of resources to be provided including:
 - (1) A description of participating key staff’s knowledge of the requirements necessary to complete this project.

- (2) Proposed project and team organization, identifying key personnel, their roles and responsibilities, and their estimated individual time allocation to this project.
- (3) List of existing professional time commitments on other subject-related contracts occurring within the January 2009 – June 2010 timeframe;
- (4) Proposed selection and use of subcontractors, if any. If none, so state.
- (5) Resumes describing the credentials, background, and relevant experience of key staff who would be involved in conducting the study. Resumes should include a description of the individuals ability and specific experience related to conducting the proposed activities. Resumes of key staff should demonstrate the ability and qualifications in the following areas:
 1. expertise in quantitative and qualitative data collection, research, analysis, and reporting;
 2. expertise in demographic studies and trend analysis; and
 3. knowledge of civil and criminal courtroom proceedings.

Section 3: A detailed summary of the overall project plan that includes a time line and time estimates for the completion of all work required.

Section 4: The project plan. The project plan will include a description of the proposed methods to complete the Project, including:

- (1) Proposed strategies and methods that will be employed to achieve the project objectives and produce the project deliverables.
- (2) Proposed data collection methods foreach deliverable #1 through #5.
- (3) Proposed methodology for establishing a threshold for the designation and de-designation of languages.
- (4) Proposed process for keeping AOC contact informed of progress in the study.

- Section 5: References including the names, addresses, and telephone numbers of a three (3) to five (5) clients for whom the proposer has conducted similar services. The AOC may check references listed by the proposer.
- Section 6: Cost proposal prepared in accordance with 8.0 Cost Proposal.
- Section 7: A completed and signed Attachment C, Contract Exceptions Form
- Section 8: A completed and signed Attachment D, Payee Data Record
- Section 9: A completed and signed Attachment E, DVBE Participation Form.

7.0 EVALUATION OF PROPOSALS

7.1 Proposals will be evaluated by the AOC using the following criteria set forth in this Section and described in Section 6. A summary of the weighted evaluation criteria is set forth as Table 2, below:

TABLE 2: WEIGHTED EVALUATION CRITERIA

Criteria Number	Review Criteria	Submittal Reference(s)	105 Total Possible Points
1	Quality of Work Plan Submitted		40 Possible Points
1a	Work plan is completed, well organized, and easy to follow	See opening paragraph of 6.2	10 Points
1b	Work plan clearly describes valid and detailed methodologies that are reasonable and appropriate for the court environment for accomplishing the required project deliverables specified in the Scope of Work section of this RFP	6.2, Sections 1 through 4	15 Points
1c	Work plan clearly identifies the key staff and sub-contractors (if any) on the project, organization of team, and the roles and time allocation of each member with regard to the project	6.2, Section 2, items (4) and (5)	15 Points
2	Professional Experience with Similar Assignments		20 Possible Points
2a	Proposal articulates specific professional experience with quantitative and qualitative data collection and analysis	6.2, Section 2, items (1) and (5), and Section 5	10 Points

Criteria Number	Review Criteria	Submittal Reference(s)	105 Total Possible Points
2b	Proposal articulates specific professional experience in the analysis of courtroom proceedings and events, court interpreting, or transferable experience	6.2, Section 2, items (1) and (5), and Section 5	5 Points
2c	Proposal articulates professional experience with demographic data collection and trend analysis or transferable experience	6.2, Section 2, items (1) and (5), and Section 5	5 Points
3	Credentials of Staff		15 Possible Points
3a	Resumes of participating project staff and/sub-contracted consultants indicate relevant experience, education, training, and other professional credentials that demonstrate ability and qualification to undertake the project.	6.2, Section 2, item (5)	15 Points
4	Reasonableness of Cost/Fee Proposal		10 Possible Points
4a	Costs are reasonable and within the range specified in 5.1 of this RFP	6.2, Section 6	5 Points
4b	Budget and justifications are clear, well defined, and include line itemization and formulas for <u>EACH</u> of the 6 project deliverables specified in the Scope of Work section of this RFP	6.2, Section 6	5 Points
5	Ability to Meet Timing Requirements to Complete Project		10 Possible Points
5a	Provides a reasonable timeline to permit completion of all 6 project deliverables without delays due to demand on proposers resources from its other projects or other commitments.	6.2, Section 2, item (3), and Section 3	10 Points
6	References		5 Possible Points
6a	Three to five references that support consultant's stated experience and ability to provide required deliverables citing past relevant experience and/or similar contracts	6.2, Section 5	5 Points
7	Contract Exceptions		5 Possible Points
7a	Proposals will be evaluated based on the extent of acceptance with Attachment B, Terms and Conditions.	6.2, Section 7	5 Points

Criteria Number	Review Criteria	Submittal Reference(s)	105 Total Possible Points
8	Compliance With RFP Submittals		
8a	Proposal contains all 9 sections in accordance with 6.2.	6.2, Sections 1 through 9	Responsive/Non-Responsive

7.2 Evaluation Process

7.2.1 The AOC will conduct a comprehensive, fair, and impartial evaluation of proposals received in response to this RFP. All proposals received from vendors will be reviewed and evaluated by a committee of qualified personnel (“Evaluation Committee”). The name, units, or experience of any individual members of the Evaluation Committee will not be made available to any vendor. The evaluation of proposals and selection of preferred providers will occur as set forth in this Section.

7.2.2 **Written Proposal Review.** Preliminary evaluations will be based on written proposals as outlined in the Specifics of a Responsive Proposal section of this RFP and the Weighted Evaluation Criteria in Table 2. A proposal may be considered non-responsive and eliminated from further evaluation if it does not contain all proposed elements outlined in these sections.

7.2.3 **Finalist Selection.** The Evaluation Committee will compile the preliminary scores for each vendor’s written proposal based on the weighted evaluation criteria. The vendors with the highest ranking scores will be identified and may be invited to participate in one or more finalist interviews. Vendors not selected as finalists will not be eligible for further consideration.

7.2.4 **Finalist Interviews.** Finalist interviews, if any, will be held at the AOC’s office in San Francisco as part of Key Event number 7 in section 3.1 above. Interviews are designed to provide the AOC with clarification of submitted proposals only, and shall not be construed as a solicitation, invitation, or opportunity for vendors to alter, modify, or amend their previously submitted proposals. Any alterations, modifications, or amendments so offered to a proposal during this clarification process shall not be considered by the AOC; but will, however, be viewed as negatively impacting the proposal evaluation. Proposers selected to participate in an interview will be notified in writing of the date, place, time and format of the interview. Proposers will be responsible for all costs related to the interview, which, at the AOC’s sole discretion, may be in-person at the AOC’s offices in San Francisco and/or by teleconference. Key staff for

the projects should be present for the interview. Sales representatives not working as key staff on the projects should not participate in the interviews. If a proposer is selected to participate in an interview and fails to participate in such interview, the proposer may be disqualified from further consideration.

- 7.2.5 **Selection of Preferred Provider(s).** Upon completion of the interview process and finalizing their evaluations, the Evaluation Committee will make their selection recommendation to the AOC's Contracting Officer responsible for this solicitation. After review and confirmation of the Evaluation Committee's recommendation(s), the AOC's Contracting Officer will provide written notification to all vendors who submitted proposals advising whether they were selected or not selected to be the preferred provider. The Contracting Officer will subsequently post a Notice of Intent to Award on the AOC's Courtinfo website advising the public the name of the vendor selected as the preferred provider.

8.0 COST PROPOSAL

- 8.1 The service provider's cost/fee proposal showing total cost/fees for providing these services shall be in the range of \$150,000 to \$175,000 and shall be inclusive of personnel, materials, computer support, editing, printing, and shipping of materials, travel, lodging, per diem, and overhead rates. Please note: the method of payment to the consultant will be in arrears upon completion of each firm fixed price deliverable.
- 8.2 As a separate document, submit a detailed line item budget showing total cost of services. Fully explain and justify all budget line items in a narrative entitled "Budget Justification." Anticipated travel costs should be clearly itemized and should reflect the meeting schedule outlined in Table 1 of the Scope of Work section of this RFP.
- 8.3 On a separate page, using the format in Table 2 of Attachment B, provide the hourly rates for each position that will be involved in the project for use in developing costs for optional future work or revisions to existing scope of work, if any. The hourly rates must be inclusive of personnel, materials, computer support, and overhead rates.

9.0 SUBMISSION OF PROPOSAL

- 9.1 The proposer must prepare a cover letter on the proposer's business letterhead to accompany the proposal. The purpose of this letter is to transmit the proposal; therefore, it should be brief. The letter must be signed by an individual who is

authorized to bind his or her firm to all statements, including services and prices, contained in the proposal.

- 9.2 Proposals must be delivered by the Proposal Due Date to the individual listed in the Submission of Proposals section of the coversheet to this RFP and must include the following:
 - 9.2.1 One (1) original hard copy of the entire proposal.
 - 9.2.2 Three (3) duplicate hard copies of the entire proposal.
 - 9.2.3 One (1) electronic copy of the entire proposal in MS Word compatible format (unprotected) on a CD-ROM.
- 9.3 Proposals must be delivered via a service that provides a proof of delivery, including U.S. Mail, common carrier, overnight delivery service, or hand delivery. A receipt should be requested for hand delivered material. Proposals received prior to the Proposal Due Date & Time that are marked properly will be securely kept, unopened until the Proposal Due Date & Time. Proposals received after the Proposal Due Date & Time will not be considered.
- 9.4 The service provider is solely responsible for ensuring that the full and complete proposal is received by the AOC in accordance with the solicitation requirements prior to the Proposal Due Date & Time and at the place specified. The AOC shall not be responsible for any delays in mail or by common carriers or by delivery errors or delays or missed delivery.
- 9.5 Only written proposals, accompanied by the CD-ROM submittal, will be accepted. Submittal of proposals by facsimile or email transmission is not acceptable, and any proposal so transmitted will be rejected as non-responsive.

10.0 RIGHTS

- 10.1 The AOC reserves the right to reject any and all proposals, in whole or in part, as well as the right to issue similar RFPs in the future. This RFP is in no way an agreement, obligation, or contract and in no way is the AOC or the State of California responsible for the cost of preparing the proposal. One copy of a submitted proposal will be retained for official files and becomes a public record.

11.0 ADDITIONAL REQUIREMENTS

It may be necessary to have one or more teleconferences to obtain clarification of a proposer's submittal as well as subsequent in-person interview(s) of finalists. The proposer will be notified of the date and time of such teleconference(s) or interview(s).

12.0 CONFIDENTIAL OR PROPRIETARY INFORMATION

The Administrative Office of the Courts policy is to follow the intent of the California Public Records Act (PRA). If a vendor's proposal contains material noted or marked as confidential and/or proprietary that, in the AOC's sole opinion, meets the disclosure exemption requirements of the PRA, then that information will not be disclosed pursuant to a request for public documents. If the AOC does not consider such material to be exempt from disclosure under the PRA, the material will be made available to the public, regardless of the notation or markings. If a vendor is unsure if its confidential and/or proprietary material meets the disclosure exemption requirements of the PRA, then it should not include such information in its proposal.

13.0 DISABLED VETERAN BUSINESS ENTERPRISE PARTICIPATION GOALS

The State of California Executive Branch requires contract participation goals of a minimum of three percent (3%) for disabled veteran business enterprises (DVBEs). The AOC is subject to this participation goal. If it would be impossible for your company to comply, an explanation of why and demonstration of written evidence of a "good faith effort" to achieve participation is required. Your company must complete the DVBE Participation form and include the form with your Cost Proposal. If your company has any questions regarding the form, you should contact the individual listed in the Submission of Proposal section on the coversheet of this RFP. Information about DVBE resources can be found on the Executive Branch's Internet web site at: <http://www.dgs.ca.gov/default.htm> or by calling the Office of Small Business and DVBE Certification, at 916-375-4940.