



REQUEST FOR PROPOSALS [\(Revision 1\)](#)

ADMINISTRATIVE OFFICE OF THE COURTS (AOC)

REGARDING:

(1) Administering the written and oral examinations for certified and registered court interpreter candidates, (2) Administering bilingual oral proficiency screening examinations to assess bilingualism, (3) Developing a variety of videos related to court interpreter test administration, and (4) Developing an internet based learning platform for prospective court interpreters.

PROPOSALS DUE:

~~February 6, 2012, no later than 1:00 p.m. Pacific time~~

**No Later than close of business,
February 21, 2012**

1. GENERAL INFORMATION

1.1. Background

- 1.1.1. Judicial Council of California – AOC. 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 AOC is the staff agency for the council and assists both the council and its chair in performing their duties.
- 1.1.2. The Court Interpreters 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, and statewide data collection and analysis.
- 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. For additional information about this solicitation, including electronic copies of the solicitation documents, see the California Courts Website located at www.courts.ca.gov/rfps.htm (“Courts Website”).

1.2. Program Authority and Structure

- 1.2.1. The California Constitution states that “a person unable to understand English who is charged with a crime has a right to an interpreter throughout the proceedings.” This right is extended by law to certain civil and juvenile proceedings as well. California’s Government Code §§68560-68566 directs the Judicial Council to adopt programs and standards to insure that qualified interpreters are provided in the courts. This responsibility includes adopting standards for the testing and certification or registration of court interpreters. The Council is also responsible for designating the languages for which a program of certification shall be established, based upon a study every five years of language and interpreter use and need in court proceedings. For all

languages that are “nondesignated,” the Council is responsible for establishing a program of registration.

1.2.2. To assist it with these duties, the Council has appointed a Court Interpreters Advisory Panel. This panel is comprised of judges, court administrators, court interpreters, court staff, and representatives of county offices that are involved in court proceedings. The Court Interpreters Advisory Panel is charged with making recommendations to the Council on, among other things, the certification, registration, renewal of certification and registration, testing, recruiting, training, continuing education, and professional conduct of interpreters.

1.3. General Program Context

1.3.1. 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 are from the U.S. Census Bureau.)

1.3.2. The 2010 Language Need and Interpreter Use Study, authorized by the Judicial Council, reports that the top 17 spoken languages by days of interpreter service were Spanish (167,744), Vietnamese (6,968), Korean (3,687), Mandarin (3,143), Russian (2,753), Eastern Armenian (2,493) Cantonese (2,117), Punjabi (2,083), Farsi (1,760), Tagalog (1,645), Hmong (1,523), Khmer (1,191), Laotian (861), Arabic (794), Japanese (655), Mien (570), and Portuguese (328). These statistics show the overwhelming predominance of Spanish as the most highly-needed language in the California courts, representing 83% of the interpreter service days for the 17 top languages.

1.3.3. The Judicial Council has designated for certification American Sign Language (ASL) and 15 spoken languages. The currently designated spoken languages with Court Interpreter Certification Examinations include Arabic, Eastern Armenian, Cantonese, Khmer, Korean, Mandarin, Portuguese, Punjabi, Russian, Spanish, Tagalog, and Vietnamese. There are currently no certification tests for Farsi, Japanese, or Western Armenian. To be qualified to interpret in the California courts, the Judicial Council requires ASL interpreters to hold a “Specialist Certificate: Legal” (SCL) issued by the Registry of Interpreters for the Deaf (RID).

- 1.3.4. For the 12 designated spoken languages with certification exams, the certification process includes assessment of candidates' language proficiency and interpreting skills. Certification exams include written and oral components in English and the target language. Interpreters of designated languages qualified through this process become "certified interpreters." For nondesignated spoken languages, for which there is no certification exam, candidates must pass English-only written and oral examinations. Interpreters of nondesignated languages qualified through this process become "registered interpreters." The oral interpreting exam for Certified Interpreters measures interpreting performance in the following modes: Consecutive interpretation, Sight Translation (English to Foreign Language); Sight Translation (Foreign Language to English); Simultaneous Interpretation. The oral component for Registered Interpreters is designed to measure a candidate's ability to comprehend and speak English correctly. The oral exam for Registered Interpreters is approximately 35 minutes in length.
- 1.3.5. There are approximately 1812 state court interpreters currently certified and registered in California. A total of 1215 written screening examinations were administered between July 2010 and July 2011. A total of 981 oral certification examinations were administered between July 2010 and July 2011. Approximately 2.5 percent of all exams were appealed by test candidates. If an exam is appealed, the test administrator must investigate whether there were any administrative deficiencies, discrimination, bias, fraud, or inappropriate application of the Americans with Disabilities Act or other accommodations. Performing appeals investigations may require consultation with the AOC.
- 1.3.6. Between June 2010 and May 2011, the current test administrator answered 7,455 calls from test candidates (roughly 620 calls per month). Test candidates contacted the test administrator to inquire about test procedures, dates, to schedule exams, or to issue complaints. The average call with a test candidate lasted approximate five minutes and forty five seconds.
- 1.3.7. The Administrative Office of the Courts contracts with an external provider to develop and administer the certification and registration exams, following the standards and guidelines adopted by the Judicial Council. Currently, the AOC administers certification exams owned by the National Center for State Courts. English-only oral proficiency exams used for non-designated languages are owned by the Judicial Council. Additional information about the Court Interpreters Program can be accessed at: <http://www.courts.ca.gov/programs-interpreters.htm>. Additional information about the court interpreter testing program can be accessed at: <http://www.courts.ca.gov/2695.htm>.

- 1.3.8. In 2006, the AOC contracted for a study of California’s court interpreters testing program. The results of that study were published in 2007 as *Study of California’s Court Interpreter Certification and Registration Testing (Study 2007)*¹. Thirty-two knowledge, skills, and abilities (“KSAs”) were identified as essential to the job of court interpreter, classified into linguistic, speaking, listening, reading, interpreting, and behavioral skills. All but the six behavioral KSAs were found to be measurable through the testing process. At its April 25, 2008 business meeting, the Judicial Council adopted all 32 KSAs as the essential measure of a qualified court interpreter and adopted the 26 measurable KSAs as the basis for California’s court interpreter testing program. Additional findings and recommendations from the Study of California’s Court Interpreter Certification and Registration Testing (*Study 2007*) can be found at: <http://www.courts.ca.gov/documents/altafinalreport.pdf>
- 1.3.9. In April 2008, the Judicial Council approved the recommendation made in *Study 2007* regarding the implementation of oral proficiency screening (OPS) exams to assess candidates’ core bilingualism in both English and the target foreign language. The OPS can be used to assess the bilingual abilities of test candidates who wish to become registered court interpreters and individuals who wish to record their bilingual abilities. OPS exams will be used to assess bilingual proficiency, and not interpreting ability.
- 1.3.10. For purposes of comparison, *Study 2007* further identified four interpreter testing models considered peer to California’s. Of these four models, the testing program of the Consortium for State Court Interpreter Certification (Consortium)² was selected by the AOC for further study due to its compatibility in both purpose and scope with California’s own program.
- 1.3.11. The Consortium was officially founded in July 1995 by Minnesota, New Jersey, Oregon, and Washington. This came about as a consequence of findings and professional relationships established during research conducted by the National Center for State Courts between 1992 and 1995 (See Hewitt, William E., *Court Interpretation: Model Guides for Policy and Practice in the State Courts*, Williamsburg, VA, National Center for State Courts, 1995.)³.
- 1.3.12. The NCSC research showed that establishing an interstate authority with the capacity to coordinate test development efforts and investments on a national scale was both desirable and feasible. In 1994, judicial leaders in

¹ <http://www.courts.ca.gov/documents/altafinalreport.pdf>

² This organization is now referred to as the Consortium for Language Access in the Courts (Consortium)

³ http://www.ncsonline.org/wc/publications/Res_CtInte_ModelGuidePub.pdf

Minnesota and Oregon asked the National Center for State Courts for assistance in developing interpreter testing programs of equal quality and effectiveness to those then in existence in New Jersey and Washington (which were studied and documented in the Model Guides publication). Acting on that opportunity, staff of the NCSC invited representatives of those four states to work together with the NCSC to create a voluntary program in which member states could pool financial resources and professional expertise to eliminate duplication of expense and effort, and lower the cost of interpreter test development and administration for all of the member states. Thus, the Consortium was created to counter the high costs of test development and associated proprietary interests by providing a vehicle for exchange of expertise while safeguarding work products.

- 1.3.13. The Consortium has prepared and maintains standardized manuals for test construction, test administration (including a candidate information booklet), and test rater training. This documentation is housed at the National Center for State Courts office in Williamsburg, Virginia, on behalf of state court systems in the United States. Further information about the Consortium may be found at http://www.ncsconline.org/D_RESEARCH/CourtInterp/CICourtConsort.html.
- 1.3.14. In 2009 the Judicial Council of California, Administrative Office of the Courts contracted ALTA Language Services, Inc. to assess the Consortium for Language Access in the Courts' examinations for certifying member state court interpreters. The purpose of this assessment was to determine the level of functional equivalency between California's court interpreter certification examinations and the Consortium's exams, and to determine how California could use Consortium exams if comparable testing standards were established. ALTA was charged with analyzing Consortium test content and identifying the overall strengths and weaknesses of the Consortium testing program. Additionally, ALTA examined the degree to which the knowledge, skills, and abilities required of a California court interpreter are covered by the Consortium exams.⁴
- 1.3.15. Based on the recommendations of the 2009 study by ALTA Languages Services, Inc., the AOC adopted the court interpreter certification exams developed and utilized by the Consortium effective July 1, 2010.
- 1.3.16. The following table illustrates historical candidate counts for the written exam for registered and certified interpreters, which has been the first step in the testing process. This historical count may be used to estimate the number of candidates who may take oral proficiency screening exams in

⁴ <http://www.courts.ca.gov/documents/ALTAReport.pdf>

both English and a foreign language.

Historical Candidate Counts	
Year	Number of Candidates
FY 2003 – 2004	1239
FY 2004 – 2005	1492
FY 2005 – 2006	1248
FY 2006 – 2007	1117
FY 2007 – 2008	1777
FY 2008 – 2009	1042
FY 2009 – 2010	1371
FY 2010 – 2011	1217

2. DESCRIPTION OF SERVICES AND DELIVERABLES

- 2.1. The services specified in this RFP are expected to be performed by the selected service provider for a five-year period commencing on or about April 1, 2012 (actual date is TBD), and ending March 31, 2017, subject to available funding for each yearly period of April 1 through March 31.
- 2.2. The annual dollar range for the services in this RFP is estimated to be in the range of \$100,000 to \$200,000 for deliverables in addition to candidate applicant fees paid directly to the awarded service provider. The selected service provider will charge candidates the contracted market rate [fee for](#) the administration of exams [and retain the entire fee](#). Market rate adjustments for all exams will be based on adjustments in labor costs as published by the Bureau of Labor Statistics (BLS) as set forth in Attachment 2, Exhibit B . Proposers rates for applicant fees should be within the range of \$75 -\$150 per exam candidate for the Written Exam and \$150-\$350 for the Oral Court Interpreter Exam and \$100-\$150 for the Registered Court Interpreter Exam. The rates for administration of the Bilingual Oral Proficiency Exams should be based on the market rate of commercially available bilingual oral proficiency exam instruments.
- 2.3. The administration of Oral interpreting exams shall be performed at least once per year, but not more than twice a year, as scheduled by the AOC.
- 2.4. As set forth and more fully described in detail in Attachment 2, AOC Standard Terms and Conditions, Exhibit A, Work To Be Performed, the selected vendor will provide the following services:
 - 2.4.1. Design and maintenance of a website for the Certified Court Interpreter and Registered Court Interpreter Examinations
 - 2.4.2. Data Collection, Analysis, and Reporting.

- 2.4.3. Administration of Written and Oral Court Interpreter Examinations
- 2.4.4. Administration of Bilingual Oral Proficiency Examinations
- 2.4.5. Development of Court Interpreter Video Material
- 2.4.6. Assist In Implementing an Internet Learning Platform for Prospective Court Interpreters
- 2.4.7. Exam Development Services

3. Proposer Qualifications

- 3.1. The service provider must have, at a minimum, extensive test administration experience, a cadre or access to a cadre of testing experts including but not limited to exam proctors and raters, excellent customer service skills, and written and oral communication skills. The service provider must be able to manage the registration, administration, rating, and reporting of 1,500 -1,800 written and oral examinations per year throughout California.
- 3.2. The service provider must have expertise in spoken language credentialing and/or certification programs.
- 3.3. The service provider must have experience with ensuring that testing instruments are valid and have defensible cut-scores. The service provider must have psychometricians on staff.
- 3.4. The service provider must be able to produce or subcontract production of short videos.
- 3.5. The service provider should have experience working with multiple organizations or subcontractors to coordinate the administration of tests, which may include the management of test registration systems or databases.
- 3.6. The service provider must be able to respond within the same business day to telephone inquiries. Historically, there were an average of 650 telephone inquiries per month. The use of a subcontractor is permitted.

4. TIMELINE FOR THIS RFP

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

TABLE 1: PROCUREMENT SCHEDULE (Revision No. 1)

<i>Key Event No.</i>	<i>Event Description</i>	<i>Key Due Dates</i>
1	Issue RFP	12/23/2011
2	Deadline for Proposers to Submit Requests for Clarifications or Modification of Solicitation Documents to Solicitations Mailbox located at Solicitations@jud.ca.gov	1 p.m. on 1/12/2012
3	AOC Posts Clarification / Modification Response (as needed)	2/10/2012 (estimated)
4	Proposal Due Date and Time for RFPs	Close of Business on 2/21/2012
5	Completion of Oral Interviews and Presentations, if any.	3/9/2012 (estimated)
6	Issue Notice of Intent to Award Contract	3/16/2012 (estimated)
7	Execution of Contract	4/20/2012 (estimated)
8	Contract start date	May 1, 2012 (estimated)
9	Contract end date	April 31, 2017 (estimated)

4.2. All key events and dates are subject to change at the AOC’s sole discretion.

4.3. Changes to dates listed for key event numbers 2, and 4 (Deadline for Proposer Requests for Clarifications or Modifications, or Proposal Due Date and Time) set forth above, will only be made by the AOC’s posting of a formal addendum on

the AOC’s website.

- 4.4. The dates listed for key event 3, and 5-7 are estimated dates only and are subject to change at the sole option of the AOC. The AOC will not issue a formal addendum for changes to any of these estimated dates unless the AOC anticipates any such change or changes may impact the irrevocable offer period set forth in this RFP.

5. RFP ATTACHMENTS

The following attachments are included as part of this RFP:

Table 2: Attachments and Descriptions

ATTACHMENT	DESCRIPTION
Attachment 1: Administrative Rules Governing RFPs (Non-IT Services)	These rules govern this solicitation.
Attachment 2: AOC Standard Terms and Conditions	If selected, the person or entity submitting a proposal (the “Proposer”) must sign an AOC Standard Form agreement containing these terms and conditions (the “Terms and Conditions”). <u>The provisions marked with an (*) within the Terms and Conditions are minimum contract terms and conditions (“Minimum Terms”).</u>
Attachment 3: Proposer’s Acceptance of Terms and Conditions	On this form, the Proposer must indicate acceptance of the Terms and Conditions or identify exceptions to the Terms and Conditions.
Attachment 4: Payee Data Record Form	This form contains information the AOC requires in order to process payments and must be submitted with proposal.
Attachment 5: Darfur Contracting Act Certification	Proposer must complete the Darfur Contracting Act Certification and submit the completed certification with its proposal.
Attachment 6: No Conflict of Interest Certification	Proposer must complete the No Conflict of Interest Certification and submit the completed certification with its proposal.
Attachment 7, Reference Form	Proposer must complete the Reference Form to list its references and submit it with its proposal.
Attachment 8, Cost Proposal Form	Proposer must use this form to propose all pricing necessary to accomplish the work requirements of the eventual contract for the Court Interpreter Examination and Administration Project and submit it with its proposal.

ATTACHMENT	DESCRIPTION
Attachment 9, Knowledge, Skills, and Abilities Essential for Court Interpretation.	This Attachment is provided for information purposes and details the knowledge, skills and abilities that are deemed essential for language interpretation in a court environment.
<u>Attachment 10, English Proficiency Oral Performance Evaluation Guide</u>	<u>This Attachment provides the language proficiency rating scale of 1-5 for the English oral fluency exam.</u>

6. SUBMISSIONS OF PROPOSALS

- 6.1. Proposals should provide straightforward, concise information that satisfies the requirements of Section 7 (“Proposal Contents”). Expensive bindings, color displays, and the like are not necessary or desired. Emphasis should be placed on conformity to the RFP’s instructions and requirements, and completeness and clarity of content.
- 6.2. The Proposer must submit its proposal in two parts, the technical proposal and the cost proposal, along with an electronic version in the following manner:
 - 6.2.1. The Proposer must submit one (1) original and five (5) copies of the technical proposal. The original must be signed by an authorized representative of the Proposer. The Proposer must write the RFP title and number on the outside of the sealed envelope.
 - 6.2.2. The Proposer must submit one (1) original and five (5) copies of the cost proposal. The original must be signed by an authorized representative of the Proposer. The original cost proposal (and the copies thereof) must be submitted to the AOC in a single sealed envelope, separate from the technical proposal. The Proposer must write the RFP title and number on the outside of the sealed envelope.
 - 6.2.3. The Proposer must submit an electronic version of the entire proposal on CD or DVD-ROM. The files contained on the CD or DVD-ROM should be in **unprotected** PDF, Word, or Excel formats.
- 6.3. Proposals must be delivered by the date and time listed on the coversheet of this RFP to:

Administrative Office of the Courts
Attn: Nadine McFadden, CPAS-201101-RB
455 Golden Gate Avenue
San Francisco, CA 94102

- 6.4. Late proposals will not be accepted.
- 6.5. Only written proposals will be accepted. Proposals must be sent by registered or certified mail, courier service (e.g. FedEx) with proof of delivery, or delivered by hand. Proposals may not be transmitted by fax or email. 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.
- 6.6. The Proposer 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.

7. PROPOSAL CONTENTS

- 7.1. 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.
 - 7.1.1. Proposer's name, address, telephone and fax numbers, and federal tax identification number. Note that if Proposer is a sole proprietor using his or her social security number, the social security number will be required before finalizing a contract.
 - 7.1.2. Name, title, address, telephone number, and email address of the individual who will act as Proposer's designated representative for purposes of this RFP.
 - 7.1.3. 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.
 - 7.1.4. Describe key staff's knowledge of the requirements necessary to complete this project.
 - 7.1.5. Proposed method to complete the work containing an overall plan for all projects with time estimates for completion of all work required and details of the plan to include:
 - 7.1.5.1. Description of all languages for which valid instruments to

conduct the Bilingual Oral Proficiency Screening Exam exist;

7.1.5.2. Proposed method for establishing a minimum proficiency level on selected oral proficiency exams. The establishment of a minimum level, or “cut-score,” should ensure functional equivalence with the minimum standards of competence required for the English-only oral proficiency exam currently used with Registered interpreters. For complete information on the minimum standards of competence required for the English-only oral proficiency exam currently used for Registered interpreters, please see Attachment 10.

7.1.5.3. Proposed process for statewide administration of Written Exams, Oral Court Interpreter Exams, and Bilingual Oral Proficiency Screening Exams in English and foreign languages;

7.1.5.4. Proposed process for identification, training, and monitoring of proctors for the administration of Written Exams, Oral Court Interpreter Exams, and Bilingual Oral Proficiency Screening Exams;

7.1.5.5. Proposed process for identification, training, and monitoring of raters and the rating process for Oral Court Interpreter Exams and Bilingual Oral Proficiency Screening Exams;

7.1.5.6. Proposed method for ensuring that Raters of Oral Court Interpreter Exam and Bilingual Oral Proficiency Screening Exams are 1) administratively independent in their evaluation of individual applicants, and 2) are free of any conflicts of interest or influence from any external source on decisions affecting Examination results, and 3) that no members of rater panels shall have a vested financial interest in the outcome of the applicant’s performance;

7.1.5.7. Proposed data collection methods and reporting mechanisms for exam results and candidate tracking;

7.1.5.8. Proposed process for handling customer inquiries, complaints, and appeals.

7.1.5.9. Proposed outline of web page and methods for ensuring public access to information;

7.1.5.10. Proposed methods for developing court interpreter video material;

7.1.5.11. Proposed methods for implementing an internet learning platform;

7.1.5.12. Proposed methods for providing oral exam maintenance on

Oral Court Interpreter Exams, including the modification of written text and possible recording of audio files;

- 7.1.5.13. Proposed project and team organization, identifying key personnel and their credentials; and
 - 7.1.5.14. Proposed selection and use of subcontractors, if any, and a description of work and to what extent Proposer intends to use a subcontractor; and
 - 7.1.5.15. List of existing professional time commitments on other subject-related contracts occurring within the expected period of performance of the services.
- 7.1.6. Proposer must include the following certifications, attachments, and other requirements in its proposal:
- 7.1.6.1. Attachment 3: Proposer's Acceptance of the RFP's Contract Terms, and a redlined Attachment 2, if applicable.
 - 7.1.6.2. Attachment 4: Payee Data Record Form
 - 7.1.6.3. Attachment 5: Darfur Contracting Act Certification.
 - 7.1.6.4. Attachment 6: No Conflict of Interest Certification
 - 7.1.6.5. If Proposer is a corporation, proof that Proposer is in good standing and qualified to conduct business in California.
 - 7.1.6.6. Attachment 7: Reference Form. Proposers shall use Attachment 7 Reference Form, for each Project Proposed. The AOC may check any reference listed by Proposer.
- 7.2. Cost Proposal. The following information must be included in the cost proposal:
- 7.2.1. A fully completed Attachment 8, Cost/Fee Proposal Form, taking into consideration the following methods of payment:
 - 7.2.1.1. For Deliverables EA-1, EA-2, EA-3 EA-5, EA-6, EA-7, EA-9, EA-10, EA-12, EA-13, and EA-14, prices are firm fixed prices per unit of measure as described in each Deliverable.
 - 7.2.1.2. For Deliverables EA-4, EA-8(A), EA-8(B), and EA-11, prices are firm fixed prices per Candidate Application for Year 1 (from on or about April 1, 2012 [actual date is TBD] to March 31, 2012). In Years 2 – 5, pricing for these Deliverables are subject to adjustment as set forth in Attachment 2, Exhibit B, Payment Provisions.

7.2.1.3. For Deliverables EA-4, EA-8(A), EA-8(B), and EA-11, the service provider will collect test application fees from exam candidates for written and oral exams in English and all foreign languages tested. It is the AOC's expectation that test application fees are the only fees the service provider will be compensated for all activities specified in paragraph 2.3, Exam Administration Activities of Attachment 2, AOC Standard Terms and Conditions, Exhibit A, Work To Be Performed., for both Written and Oral Court Interpreter Examinations and Bilingual Oral Proficiency Exams.

7.2.2. A detailed line item budget showing total cost of providing the project Deliverables specified in Table 1 in Attachment 2, AOC Standard Terms and Conditions. Fully explain and justify all budget line items in a narrative entitled "Budget Justification." Additionally, complete the Cost/Fee Proposal Form (Attachment 8).

NOTE: It is unlawful for any person engaged in business within this state to sell or use any article or product as a "loss leader" as defined in Section 17030 of the Business and Professions Code.

8. OFFER PERIOD

A Proposer's proposal is an irrevocable offer for one hundred twenty (120) days following the proposal due date ("Offer Period"). In the event a final contract has not been awarded by this date, the AOC reserves the right to negotiate extensions to the Offer Period.

9. EVALUATION OF PROPOSALS

- 9.1. At the time proposals are opened, each proposal will be checked for the presence or absence of the required proposal contents.
- 9.2. The AOC will evaluate the proposals on a 100 point scale using the criteria set forth in Table 3, below, and the referenced paragraph numbers. Award, if made, will be to the highest scored proposal.

TABLE 3: WEIGHTED EVALUATION CRITERIA – COURT INTERPRETER EXAMINATION AND ADMINISTRATION PROJECT

Referenced Paragraph Numbers	Description	100 Total Possible Points
Paragraphs 9.3 thru 9.11.2	Quality of Work Plan Submitted General quality of work plan Administration of the Consortium Written Exam Administration of the Consortium Oral Exam Administration of the Bilingual Oral Proficiency Screening Exam Development of Court Interpreter Videos Internet Learning Platform for Prospective Interpreters Test information, data collection, analysis, and reporting Security Exam Development Services	36 Possible Points
Paragraphs 9.12 thru 9.14.1	Credentials and Experience Credentials of staff Professional experience with similar assignments References	14 Possible Points
Paragraphs 9.15 thru 9.15.3	Ability to Meet Timing Requirements Provides a reasonable timeline Provides exam schedule that meets operational needs Accommodation of geographic locations	10 Possible Points
Paragraphs 9.16 thru 9.16.3 and Attachment 8	Reasonableness of Cost/Fee Proposal Costs are reasonable Demonstrates fiscal controls Budget and justifications are clear	30 Possible Points
Attachment 3	Acceptance of the RFP’s Contract Terms Proposed modifications to the contract terms may result in a lower score in this category. <u>Proposed exceptions to a Minimum Term will render a proposal non-responsive.</u>	10 Possible Points

- 9.3. Quality of work plan submitted
 - 9.3.1. General quality of work plan
 - 9.3.2. Work plan is complete, well organized, and easy to follow;
 - 9.3.3. Work plan clearly describes valid and detailed methods for accomplishing the work set forth in Attachment 2, Exhibit A, Sections 2, Exam Administration Services through 3.2, Exam Development Services; and
 - 9.3.4. Work plan clearly identifies the key staff on the project, organization of team, and the roles of each member.

- 9.4. Administration of the Consortium Written Exam
 - 9.4.1. Proposal describes how, where, when, and for what cost the computer-based written exams will be administered;
 - 9.4.2. Proposal demonstrates expertise in delivery of computer-based written exams, expertise in exam contingency planning, and contains a clearly defined appeals process; and
 - 9.4.3. Proposal contains incentivized payment structure to encourage candidates to take the Written and Bilingual oral proficiency screening exams in one sitting.

- 9.5. Administration of the Consortium Oral Exam and Registered Oral Exam
 - 9.5.1. Proposal clearly describes how, where, when, and for what cost the Oral Exams will be administered;
 - 9.5.2. Proposal clearly outlines operational steps to be conducted to administer the Oral Exam and contains plans for ongoing monitoring and maintenance of Raters and Proctors;
 - 9.5.3. Proposal clearly describes a process and schedule for recruitment and training of Raters and Proctors;
 - 9.5.4. Proposal clearly describes the service provider's internal organizational structure and what parts of the organization will handle the various parts of the Oral Exam administration; and
 - 9.5.5. Proposal clearly describes expertise coordinating with several organizations to administer exam content.

- 9.6. Administration of the Bilingual Oral Proficiency Screening Exam
 - 9.6.1. Proposal clearly describes how, where, when, and for what cost the Bilingual proficiency screening exams will be administered;
 - 9.6.2. Proposal clearly describes method for establishing a cut-score for bilingual oral proficiency exams to be used in all available languages.**
 - 9.6.3. Proposal clearly outlines operational steps to be conducted to administer the Oral Exam;
 - 9.6.4. Proposal clearly describes provisions for performing ongoing quality control of the rating process and verification of the raters' continued accuracy (or ongoing monitoring of the subcontractor's performance of these duties); and
 - 9.6.5. Proposal provides a plan for dispute resolution of examinee complaints, including an applicant appeals process.

- 9.7. Development of Court Interpreter Videos
 - 9.7.1. Proposal demonstrates that the service provider has the technical capability to produce and edit video footage or has the capacity to contract with a subcontractor with the necessary skills to produce videos. Proposal demonstrates that the service provider has the ability to produce high quality digital photos; and

- 9.7.2. Proposal contains information on how the service provider would develop scripts and recruit talent. The proposal contains a timeline for video production and samples of possible types of videos.
- 9.8. Internet Learning Platform for Prospective Interpreters
 - 9.8.1. Proposal clearly demonstrates expertise in migrating written content to an internet based platform, operational steps to collaborate with the AOC and migrate content to an internet based platform, a timeline for migrating content to the Internet Learning Platform, and technical expertise to manage the system.
- 9.9. Test information, data collection, analysis, and reporting
 - 9.9.1. Proposal describes methods to provide access to test information through internet, a centralized call center, and an e-mail response center. Information should include, but not be limited to: test dates, registration processes, and rater selection and appeals process; and
 - 9.9.2. Proposal describes procedures for statistical data collection, analysis, and timely reporting, including but not limited to exam scores, test dates and sites, candidate tracking information, problems and challenges.
- 9.10. Security
 - 9.10.1. Proposal provides a comprehensive plan for security procedures to ensure integrity and confidentiality of the testing program and its security from unauthorized access; and
 - 9.10.2. Proposal provides a contingency plan for documenting steps to be taken in the event that test security is compromised.
- 9.11. Exam Development Services
 - 9.11.1. Proposal provides a comprehensive plan and describes methods for performing maintenance of existing oral exam content, which may include modification of content and/or recording of exam material in up to three languages in accordance with Consortium guidelines; and
 - 9.11.2. Proposal clearly describes methods for selecting, contracting, and managing Subject Matter Experts in multiple languages and other subcontractors as needed.
- 9.12. Credentials and Experience
 - 9.12.1. Credentials of staff. Resumes of project staff indicate education, training, and other professional credentials that demonstrate ability and qualifications to undertake the project in the following areas:
 - 9.12.1.1. Expertise in test administration of computer-based written exams;
 - 9.12.1.2. Expertise in test administration of oral performance exams;
 - 9.12.1.3. Expertise in test administration of bilingual oral proficiency screening exams;

9.12.1.4. Expertise in establishing valid cut-scores with standard-setting processes;

- 9.12.1.5. Expertise in rater training and evaluation;
 - 9.12.1.6. Expertise in data collection, analysis, and reporting;
 - 9.12.1.7. Expertise in video production, editing, and photographs;
 - 9.12.1.8. Expertise in web development and maintenance; and
 - 9.12.1.9. Expertise in fiscal control and management.
- 9.13. Professional experience with similar assignments
- 9.13.1. Proposal articulates professional experience in the administration of oral proficiency screening exams, credentialing exams, or transferable experience; and
 - 9.13.2. Proposal articulates professional experience with test administration of a comparable scope.
- 9.14. References
- 9.14.1. References support service provider’s ability to provide required project Deliverables as specified in Table 1 in Attachment 2, AOC Standard Terms and Conditions based on past experience or similar contracts.
- 9.15. Ability to meet timing requirements to complete the project
- 9.15.1. Provides a reasonable timeline to permit completion of contract project Deliverables specified in Tables 1 and 2 in Attachment 2, AOC Standard Terms and Conditions and allow for contingencies;
 - 9.15.2. Provides exam schedule that meets operational needs of the Judicial Council’s certification program as outlined in Table 1 in Attachment 2, AOC Standard Terms and Conditions; and
 - 9.15.3. Describes a clear plan for administering all exams in a manner that best accommodates the geographic locations of the test candidates.
- 9.16. Reasonableness of cost/fee proposal
- 9.16.1. Costs for this RFP are reasonable;
 - 9.16.2. Demonstrates fiscal controls necessary for collection and management of exam fees; and
 - 9.16.3. Budget and justifications are clear, well defined, and include line itemization and formulas for each project Deliverable specified in Tables 1 and 2 in Attachment 2, AOC Standard Terms and Conditions.

10. EVALUATION PROCESS

- 10.1. 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.

- 10.2. **Written Proposal Review.** Preliminary evaluations will be based on written proposals as outlined in the Specifics of a Responsive Proposal for the Court Interpreter Examination and Administration Project. The Evaluation Committee will assign preliminary weighted scores as listed within Table 3 of this RFP. A proposal may be eliminated if it does not contain all proposal elements outlined in these sections.
- 10.3. **Finalist Selection.**
 - 10.3.1. 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 for each of the individual projects will be identified and may be invited to participate in interviews, if interviews are deemed necessary by the Evaluation Committee.
 - 10.3.2. Vendors not selected or invited to interview will not be eligible for further consideration.
 - 10.3.3. In the event the Evaluation Committee determines that interviews are not necessary, the AOC will proceed with selection of the preferred provider(s) as specified in Section 10.5, below.
- 10.4. **Finalist Interviews**
 - 10.4.1. After completion of the evaluation of written proposals, and if deemed necessary by the Evaluation Committee, selected proposers may be given the opportunity to participate in the interactive interviews regarding their proposal. 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. 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.
 - 10.4.2. Interviews, if held, 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.
 - 10.4.3. Key staff for the individual projects should be present for the interview. Sales representatives not working as key staff on the projects should not participate in the interviews.
 - 10.4.4. Upon completion of interviews, if conducted, the Evaluation Committee will finalize the scoring of proposals.

10.5. Selection of Preferred Provider(s)

10.5.1. Upon completion of proposal evaluation, and the interview process, if held, the Evaluation Committee will finalize evaluation scoring using the same criteria/weights in Table 3, above. The Evaluation Committee will then make their selection recommendation to the AOC's Contracting Officer responsible for this solicitation.

10.5.2. 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 website advising the public the name of the vendor selected as the preferred provider.

11.0 CONFIDENTIAL OR PROPRIETARY INFORMATION

One copy of each proposal will be retained by the AOC for official files and will become a public record. California judicial branch entities are subject to rule 10.500 of the California Rule of Court, which governs public access to judicial administrative records (see www.courtinfo.ca.gov/cms/rules/index.cfm?title=ten&linkid=rule10_500).

If information submitted in a proposal contains material noted or marked as confidential and/or proprietary that, in the AOC's sole opinion, meets the disclosure exemption requirements of Rule 10.500, then that information will not be disclosed upon a request for access to such records. If the AOC finds or reasonably believes that the material so marked is **not** exempt from disclosure, the AOC will disclose the information regardless of the marking or notation seeking confidential treatment.

12.0 DISABLED VETERAN BUSINESS ENTERPRISE PARTICIPATION GOALS

The AOC has waived the inclusion of DVBE participation in this solicitation.

13.0 PROTESTS

Any protests will be handled in accordance with Chapter 7 of the Judicial Branch Contract Manual (see www.courts.ca.gov/documents/jbcl-manual.pdf). Failure of a Proposer to comply with the protest procedures set forth in that chapter will render a protest inadequate and non-responsive, and will result in rejection of the protest. Protests should be sent to:

AOC – Business Services
ATTN: Protest Hearing Officer
455 Golden Gate Avenue, Seventh Floor
San Francisco, CA 94102