



Judicial Council of California

ADMINISTRATIVE OFFICE OF THE COURTS

FINANCE DIVISION

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TO: POTENTIAL PROPOSERS

FROM: Administrative Office of the Courts
Finance Division

DATE: **April 24, 2008**

SUBJECT/PURPOSE OF MEMO: REQUEST FOR PROPOSALS
INTERMITTENT, CUSTOM ELEARNING COURSE DEVELOPMENT

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

Project Title: Custom eLearning Course Development
RFP Number: CJER-WBT-08-RB

MINIMUM REQUIREMENTS See Section 4, Minimum Requirements

PROPOSAL DUE DATE: Proposals must be received by 1 p.m. on **May 30, 2008**

SUBMISSION OF PROPOSAL: Proposals must be sent to:
Judicial Council of California
Administrative Office of the Courts
Attn: Nadine McFadden, CJER-WBT-08-RB
455 Golden Gate Avenue
San Francisco, CA 94102

FOR FURTHER INFORMATION: E-MAIL:
Solicitations@jud.ca.gov

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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
- Attachment D - Payee Data Record
- Attachment E - DVBE Participation Form

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 Education Division of the AOC provides training and education for judges, court staff, and other judicial branch personnel to enhance the administration of justice. Educational programs cover such topics as access and fairness, domestic violence, drug courts, complex civil litigation, and a variety of legal and administration issues.
- 1.1.3 The Education Technology Unit of the Education Division administers distance training and education programs through the production of broadcasts, video, and asynchronous self-paced modules delivered via CD-Rom and internally hosted web-based portals. Distance delivery will enable the judges and court personnel of California to access educational content on an as-needed basis, at their own locale, for initial training and/or for ongoing reference to material.

1.2 Current Course development

- 1.2.1 Most of the training and education courses offered by the AOC are delivered via video broadcasts, publications, face-to-face venues, Moodle, and through secured web portals. There is no LMS or LCMS at this time. The AOC currently has a small eLearning development team which publishes web-based courses. The AOC is committed to producing additional content to computer-based training (CBT) and web-based training (WBT) to reach more learners.
- 1.2.2 Because the AOC does not have information on the hardware and operating systems used in the courts and other locations; we have been confined to developing courses using HTML and/or limited FLASH. Most end-users are on a PC with Windows 95 or higher with Internet Explorer (5.5 or higher) as the browser. We also do not know what percentage of the potential user populations have audio/sound capabilities through their computers. More information on technical

specification, audience, and budgets will be provided upon specific project specifications during the work order process.

2.0 PURPOSE OF THIS RFP

The AOC seeks to identify and retain qualified, non-exclusive service providers to develop custom web-based eLearning course(s) or modules on an as-needed basis. Service providers who are awarded contracts and who have established master agreements will be invited by the AOC Education Division to submit quotes on specific work orders as they arise. Please see Section 5 of Attachment B, Terms and Conditions, Exhibit D, entitled "Work Order Process". This RFP is the means for prospective service providers to submit their qualifications to the AOC and request selection as a service provider.

3.0 RFP SCHEDULE AND GENERAL INSTRUCTIONS

3.1 The AOC has developed the following list of key events from RFP issuance through notice of contract award. All key dates are subject to change at the AOC's discretion.

EVENT	Key Dates
Issue RFP	April 24, 2008
Deadline for Proposer Requests for Clarifications or Modifications	May 15, 2008
AOC Posts Clarification / Modification Response (estimated)	May 22, 2008
Proposal Due Date and Time	1:00 p.m. May 30, 2008
Notice of Intent to Award (estimated)	June 13, 2008
Execution of Contract (estimated)	July 2, 2008

3.2 The RFP and any addenda that may be issued will be available on the following website:

<http://www.courtinfo.ca.gov/reference/rfp/> ("Courtinfo website")

3.3 Proposal Submittal Address:

Nadine McFadden
RFP# CJER-WBT-08-RB
Judicial Council of California
Administrative Office of the Courts
455 Golden Gate Avenue, 7th Floor
San Francisco, CA 94102-3688

3.4 Request for Clarifications or Modifications

3.4.1 Proposers 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 proposer is requesting a change, the request must set forth the recommended change and the proposer's reasons for proposing the change.

Solicitations mailbox: solicitations@jud.ca.gov

3.4.2 All questions and requests must be submitted by email to the Solicitations mailbox no later than the date specified in Section 3.1, RFP Schedule and General Instructions. Questions or requests submitted after the due date will not be answered.

3.4.3 All email submissions sent to the Solicitations mailbox **MUST** contain the RFP number and other appropriate identifying information in the email subject line. In the body of the e-mail, 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 email subject line may result in the AOC taking no action on a proposer's email submission.

3.4.4 Without disclosing the source of the question or request, the AOC Contracting Officer will post a copy of the questions and the AOC's responses on the Courtinfo website.

3.4.5 If a proposer's question relates to a proprietary aspect of its proposal and the question would expose proprietary information if disclosed to competitors, the proposer may submit the question in writing, conspicuously marking it as "CONFIDENTIAL." With the question, the proposer 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 proposer will be notified.

4.0 MINIMUM REQUIREMENTS

4.1 Proposers must meet the following minimum requirements:

- 4.1.1 The eLearning development team members have at least two (2) years experience in custom eLearning course development.
- 4.1.2 Your company must have the ability to convert any given content into eLearning solutions within an eight (8) week timeframe.
- 4.1.3 Your company must have the ability to create flexible solutions dependant on varying network and end-user environments.
- 4.1.4 You must agree to give ownership to the AOC for all materials produced, including source codes at no extra costs.

5.0 SCOPE OF SERVICES

The AOC anticipates that the contractor will provide the types of services hereunder, including, but not limited to developing one or more custom web-based courses. Final WBT courses may be used as stand-alone self-paced course, as resources for live training, or as self-paced resources embedded in other web-based applications (e.g., Moodle). Services to be performed for any specific project/course will be determined and communicated to proposers during the work order process as they arise. The AOC makes no representations hereunder about the amount of work that may be given to a contractor pursuant to this RFP; therefore, the information provided below is illustrative only to assist potential bidders in conceptualizing the anticipated services and deliverables to better estimate what resources would be required to produce them.

- 5.1 Services are expected to be performed by the consultant between July 2, 2008 (estimated) thru August 31, 2009 (estimated), with possible options to renew for up to two 1-year options.
- 5.2 The AOC anticipates the work of the contract may include but may not be limited to the following types of services:
 - 5.2.1 Project Management
 - Set, manage, and communicated overall direction, team roles, responsibilities, and expectations
 - Coordinate quality control of all development work and deliverables
 - Conduct reviews and overall usability testing
 - Ensures project(s) stay on schedule and within scope and budget
 - 5.2.2 Instructional Design

- Gather content and make recommendations from analysis of business need, performance gap, and learner audiences.
- Define learning objectives, learning strategies, and evaluative measures
- Repurpose existing content to effective and efficient web delivery
- Create design blueprint and/or storyboard

5.2.3 Multimedia Development

- Programming/Coding
- Create multimedia files (e.g. HTML, FLASH, etc)
- Collaborate with instructional designers for most effective online presentation
- Identify technology and infrastructure implications to solution design
- Create custom graphics or identify existing art resources to give course unique identity
- Encode video and audio
- Develop user interfaces
- Pre-deployment quality assurance testing
- Conduct usability testing

5.3 Potential Audiences

The learner audience typically access eLearning courses at their own desks or at a shared workstation. The following table provides a brief glimpse of the potential audience by position/area.

Position/Area	Approximate Number	Computer Proficiency
Judges	1580	Assume Low
Court Staff	17,000	Assume Low
Court Supervisors & Managers	2000	Assume Some
AOC Staff	600	Assume Proficient

5.4 Potential Deliverables

The AOC anticipates that most CBT/WBT courses will be in the areas of workflow, process and procedures, professional skills, regulations, and compliance. It is highly unlikely for the content to be around products, software applications, or sales. In the course of project work, contractor may be called upon to create any, some, or all of the following deliverables:

- Course Outline(s)
- Scripts

- Storyboards
- Graphics
- Prototypes
- Interface Design
- Audio recordings (e.g. voice, sound clips)
- Multimedia files (e.g. Flash, HTML)
- Usability Testing Recommendations
- Video- encode / compress

Proposer's must have the ability to create courses that meet industry standards (e.g. SCORM, AICC, 508c, etc.), and the courses must avoid the usage of atypical plug-ins, and work with a UNIX server.

6.0 SPECIFICS OF A RESPONSIVE PROPOSAL

- 6.1 The following information shall be included in the proposal:
- 6.2 Name, address, telephone and fax numbers, and social security number or federal tax identification number.
- 6.3 One (1) original and four (4) copies of the proposal signed by an authorized representative of the company, including name, title, address, and telephone number of one individual who is the responder's designated representative and one (1) electronic copy to be submitted on a CD.
- 6.4 Resumes describing the background and experience of key staff, as well as each individual's ability and experience in conducting the proposed activities. Please include this as an appendix and note that soft copies will be requested for those who are awarded Master Agreements.
- 6.5 Names, addresses, and telephone numbers of a minimum of three (3) clients for whom the consultant has conducted similar services in the past two (2) years. The references should have had web-based courses developed by your company and hosted internally by your client and accessed behind a company firewall. The AOC may check references listed by the consultant.
- 6.6 Sample of work similar in nature. Provide either a standalone course on CD/DVD or links to the samples along with any necessary passwords for access.
- 6.7 If samples or any part of your proposal are proprietary, confidential, or copyrighted, your proposal must identify the parts so affected and you must include a release statement to permit AOC to use the samples and proposal for evaluation purposes. Also, in regards to disclosure under the California Public Records Act, please see Section 12 below and Section J of Attachment A, Administrative Rules Governing Requests For Proposals, entitled Disposition of Materials.
- 6.8 The proposer must state specifically how it meets or complies with each minimum qualification specified in Section 4, above.
- 6.9 Responsive proposals should provide straightforward, concise information that satisfies the requirements noted above. Expensive bindings, color displays, and the like are not necessary. Emphasis should be placed on conformity to the state's

instructions, requirements of this RFP, and completeness and clarity of content. Proposals should be single-spaced with an 11 point font minimum and no longer than 35 pages with a table of contents and page numbers.

6.10 Company Overview

- 6.10.1 Provide a very brief history of your company – when did your firm begin developing custom web-based courses?
- 6.10.2 Describe your organization’s custom content eLearning development services and capabilities.
- 6.10.3 Indicate the approximate percentage of 2007 total revenue that comes from your content development services.
- 6.10.4 List the number of completed custom eLearning course development projects for the past two years in areas other than sales, application, or product training. More specifically, list areas such as work flow, theories and concepts, professional development/soft skills, process and procedures, and legal.
- 6.10.5 List any awards or industry recognition your company has received, especially as related to rapid development of custom eLearning courses.
- 6.10.6 Name your top three competitors and your competitive advantages over those competitors.

6.11 Personnel

- 6.11.1 List the total number of employees, by function, who spend at least fifty percent of their time involved with custom web-based development projects you have on staff (Program Managers, Instructional Designers, Multimedia Developers, Graphic Artists, etc.).
- 6.11.2 Describe your staff’s training, experience, and background as it relates to the CBT/WBT creation process
- 6.11.3 Indicate which development functions, if any, are outsourced to a third party or off-shore development team. Describe in detail, what parts are outsourced, to whom, the relationship to this group/company, and the process you follow to ensure quality.
- 6.11.4 Do you have dedicated resources or shared resources on projects? If shared, how are your projects prioritized to minimize impact on timelines and deliverables?
- 6.11.5 Explain measures set in place if your organization has personnel crunches.

6.12 Methodology and Process

- 6.12.1 Describe your project management process and methodology. Is it an in-house developed process or an adoption of an industry recognized process?

- 6.12.2 Explain your instructional design philosophy/methodology including any strategies for rapid development.
- 6.12.3 Describe the working relationship, especially how your staff would interact with the AOC's Subject Matter Experts, Education Specialists, and/or project owners
- 6.12.4 Summarize quality assurance process and any adherence to industry standards (i.e. 508c, SCORM, AICC, etc.)

6.13 Technology

- 6.13.1 With which versions of web browsers are your courses accessible?
- 6.13.2 What is the minimum connection speed necessary to run your courses?
- 6.13.3 What plug-ins and active x controls are required to view your content within Internet Explorer? Please describe the plug-in and version required?
- 6.13.4 Do we require any in-house developed plug-ins/ active x controls to view your content with Internet Explorer and/or Firefox?
- 6.13.5 Do you typically have any session management/cookies requirements to run your courses?
- 6.13.6 Describe or list the software applications used to develop custom CBT/WBT courses, please include any in-house built tools.
- 6.13.7 Do you custom create graphical images or use a clip art library?
- 6.13.8 Can source codes be modified by the AOC using standard authoring tools?

6.14 Price Range

For evaluative purposes only, using the pricing provided pursuant to section 5.0, Fee Proposal, indicate for each box in the matrix, below, the typical price range (\$Range), average price (Avg. \$) and time allocation for each member of the development team -Program Manager (PM), Instructional Designer (ID), Multimedia Developer (MM), Graphic Artist (GA)- for one (1) finished instructional hour of knowledge-based course(s) typical of a project completed in the past. We anticipate that most of our eLearning development initiatives will fall under levels 1, 2, B, and C. Please note that the AOC will use the pricing provided pursuant to section 7.0, Fee Proposal, for evaluation of the matrix calculations, in the event of any discrepancies.

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Interactivity/ Multimedia Development Complexity							
		Low $\xrightarrow{\hspace{2cm}}$ High					
Instructional Design	Minimal \downarrow Extensive	1A	\$ Range~ Avg \$ ~ PM~ < X > hours ID~ < X > hours MM~ < X > hours GA ~ < X > hours Total hours ~	2A	\$ Range~ Avg \$ ~ PM~ < X > hours ID~ < X > hours MM~ < X > hours GA~ <X> hrs Total hours ~	3A	\$ Range~ Avg \$ ~ PM~ < X > hours ID~ < X > hours MM~ < X > hours GA~ <X> hours Total hours ~
		1B	\$ Range~ Avg \$ ~ PM~ < X > hours ID~ < X > hours MM~ < X > hours GA ~ < X > hours Total hours ~	2B	\$ Range~ Avg \$ ~ PM~ < X > hours ID~ < X > hours MM~ < X > hours GA ~ < X > hours Total hours ~	3B	\$ Range~ Avg \$ ~ PM~ < X > hours ID~ < X > hours MM~ < X > hours GA ~ < X > hours Total hours ~
		1C	\$ Range~ Avg \$ ~ PM~ < X > hours ID~ < X > hours MM~ < X > hours GA ~ < X > hours Total hours ~	2C	\$ Range~ Avg \$ ~ PM~ < X > hours ID~ < X > hours MM~ < X > hours GA ~ < X > hours Total hours ~	3C	\$ Range~ Avg \$ ~ PM~ < X > hours ID~ < X > hours MM~ < X > hours GA ~ < X > hours Total hours ~
		1D	\$ Range~ Avg \$ ~ PM~ < X > hours ID~ < X > hours MM~ < X > hours GA ~ < X > hours Total hours ~	2D	\$ Range~ Avg \$ ~ PM~ < X > hours ID~ < X > hours MM~ < X > hours GA ~ < X > hours Total hours ~	3D	\$ Range~ Avg \$ ~ PM~ < X > hours ID~ < X > hours MM~ < X > hours GA ~ < X > hours Total hours ~

Interactivity/ Multimedia Development Complexity Levels

Level 1:

Page turner with static images. Simple interactivity such as multiple choice questions and hypothetical scenarios which require user to click to proceed thru course. Basic graphic production, use of clip art and/or stock photos. Basic navigation controls. No animation, no sound/audio, basic graphic production.

Level 2:

Mid-level content interaction with at least 20% interactive learning activities such as discovery exercises, drag-and-drop exercises, linear path games/simulations, etc. Sophisticated navigational controls such as pause, and controllable animation timeline. Custom graphics, 2D animation, narration, audio, and/or video.

Level 3:

Sophisticated graphics and extensive multimedia elements such as 3D animation, custom graphics, multi-path and branching, interactive video, and audio. Simulation and game-based content, engaging theme development.

Instructional Design Involvement Levels (by proposer)

Level A

Proposer will produce only. Instructional design will be provided to the proposer by the AOC. Finished storyboards and related documentation are provided to the proposer in a pre-approved and acceptable format and order. Course design is typically linear.

Level B

Proposer will take existing course materials and create storyboard. Existing course content and supporting documentation, course outline, and design document will be provided by the AOC. Course design may contain multiple learner paths.

Level C

Proposer will provide basic instructional design. The proposer will work with designated AOC staff and/or course owner to create design document, storyboard, and course outline. Course design is richer and may include multiple learner paths and branching.

Level D

Comprehensive Instructional Design will be performed by proposer. Course content exists in various forms or nonexistent and must be gathered, organized, and analyzed to create course objectives, outline, preliminary design, and storyboarding.

6.15 Proposers must complete and submit the following documents in its proposal:

- Attachment C – Contract Exceptions, and
- Attachment D – Payee Data Record
- Attachment E – DVBE Participation Form

7.0 FEE PROPOSAL

7.1 The list of potential prices set forth below is not intended to be exhaustive. Please be sure to include all potential pricing that could pertain to providing potential work to the AOC, if the AOC enters into a Master Agreement for your services. Requirements and description of services and the amount the AOC will pay for performance of such services will be set forth in Work Order(s), if any, issued pursuant to the Master Agreement. It is expected that all service providers

responding to this RFP will offer the service provider’s government or comparable favorable rates.

- 7.2 Propose pricing for all possible costs, inclusive of personnel, materials, computer support, royalties, etc., and expenses, inclusive of travel, lodging, per diem, subcontractor markup, overhead rates, etc.. The method of payment to the consultant will be by cost reimbursement or fixed pricing, as further addressed in Attachment B, Terms and Conditions, under the section entitled “Work Order Administration”.

Role	Rate per hour
Project Manager	\$
Instructional Designer	\$
Graphic Artist	\$
Multimedia Developer (HTML, Photoshop, video/audio editing, Macromedia toolset, etc.)	\$
If applicable, Junior Multimedia Developer (content conversion/packaging using authoring tool)	\$

8.0 RIGHTS

- 8.1 Pursuant to this RFP, the AOC intends to award more than one respondent a Master Agreement. Actual work assignments, if any, will be issued pursuant to a Master Agreement via Work Order(s), in accordance with Section 5 of Attachment B, Terms and Conditions, Exhibit D, entitled “Work Order Process”.
- 8.2 The AOC does not guarantee that a proposer will receive a specific volume of work, a specific total contract amount, or a specific order value under any master agreement executed pursuant to this RFP. Additionally, there will be no limit on the number of orders the AOC may issue under a master agreement, nor will there be any specific limitation on the quantity, minimum and/or maximum value of individual orders.

9.0 EVALUATION OF PROPOSALS

Submitted responses will be evaluated by the AOC using the criteria listed below.

- 9.1 Reasonableness of Price Range and Fee proposal (possible 30 Points): the hourly rates of your staff and the price range of your solutions should be competitive within the industry for government contracts
- 9.2 Evaluation of requested samples (possible 25 Points): This should reflect your innovation, expertise, ease of use, and creativity.

- 9.3 Experience & Technical Competence (possible 20 Points): We will examine the breadth and depth of your company and personnel, and the extensiveness and scalability of your technology.
- 9.4 Methodology and Strategies (possible 15 Points): we will examine the soundness of your proposed instructional design methodology and project management strategies to ensure quality, timelines, and integrity.
- 9.5 References from past clients (possible 10 Points).

10.0 ADDITIONAL REQUIREMENTS

It may be necessary to interview prospective service providers to clarify aspects of their submittal. If conducted, interviews will likely be conducted by telephone conference call. The AOC will notify prospective service providers regarding the interview arrangements.

11.0 ADMINISTRATIVE RULES AND PROPOSED CONTRACT TERMS

- 11.1 Incorporated in this RFP, and attached as Attachment A, is a document entitled “Administrative Rules Governing Requests for Proposals. Bidders shall follow these rules in preparation of their proposals.
- 11.2 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. Generally, the terms of the contract will include, but are not limited to the terms and conditions in Attachment B of this RFP

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 proposer’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 proposer 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 3 percent for disabled veteran business enterprises (DVBES). As a policy,

the AOC follows the intent of the executive branch program. Therefore, a proposer's response should demonstrate DVBE compliance; otherwise, if it is impossible for proposer's company to comply, they should explain why and should demonstrate written evidence of a "good faith effort" to achieve participation. Proposers must complete the DVBE Compliance form and include the form with the Fee Proposal. If proposer has any questions regarding the form, applicant should submit its question to the Solicitations mailbox: solicitations@jud.ca.gov. For further information regarding DVBE resources, please contact the Office of Small Business and DVBE Certification, at 916-375-4940, or access DVBE information on the executive branch's Web site at: <http://www.dgs.ca.gov/default.htm>.