

RFP Title: E-Learning Resources for Center for Families, Children & the Courts
RFP Number: CFCC-2021-23-DM

REQUEST FOR PROPOSALS

JUDICIAL COUNCIL OF CALIFORNIA

REGARDING:

**E-Learning Resources for Center for Families,
Children & the Courts**

RFP No. CFCC-2021-23-DM

PROPOSALS DUE:

NO LATER THAN *APRIL 22, 2021* AT 1:00 P.M. PACIFIC TIME

1.0 BACKGROUND INFORMATION

- 1.1 The Judicial Council of California, chaired by the Chief Justice of California, is the policy-making body for the California court system. The California Constitution directs the Judicial Council to improve the administration of justice by surveying judicial business and recommending improvements to the courts; and adopting rules for court administration.
- 1.2 The Center for Families, Children, and the Courts (CFCC) is a division within the Judicial Council. The CFCC is dedicated to improving the quality of justice and services to meet the diverse needs of children, youth, and families. To that end, CFCC develops and provides education for multidisciplinary audiences, including judges, court staff, attorneys, social workers, and probation officers.
- 1.3 The Judicial Council intends to award one (1) or more agreements with the initial term (Year 1) of approximately four (4) months estimated to be performed by the successful Proposer from **May 17, 2021** through **September 30, 2021** with a 1 one-year option (Year 2) to extend the term. **The first option term (Year 2) will begin on October 1, 2021 and end on September 30, 2022.** The Judicial Council in its sole discretion may exercise option term prior to the expiration of the initial term.

2.0 DESCRIPTION OF SERVICES AND DELIVERABLES

- 2.1 The Judicial Council seeks **one or more qualified Proposers** to produce or assist with online learning tools including recorded classes, converting curricula into online learning tools, and other electronic educational tools that can be used to provide support to court staff and partners in the California court system.

The successful Proposer(s) will:

1. Have demonstrated experience with producing online courses;
2. Plan and consult on lesson and identify content for each course;
3. For each course, conduct multiple pre and post-production meetings with the CFCC staff to review contents and materials;
4. Ensure content is eligible and compliant to receive continuing education credits such as Minimum Continuing Legal Education (MCLE) and Board of Behavioral Science (BBS) credits.
5. Be responsible for editing and engineering if needed, and any other task needed to deliver completed courses; and
6. Deliver completed courses.

2.2 General Scope of Services Requirements

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- 2.2.1 Contractor(s) must work with Judicial Council staff to create interactive on-line learning tools for a variety of topics.
- 2.2.2 Online learning tools include, but are not limited to, interactive distance learning platforms; the ability to conduct pre and post- tests, the ability to obtain continuing education credits if needed
- 2.2.3 All content must be provided in file formats compatible for posting or embedding on a Judicial Council website, such as MP4s or other standard file formats that work with the latest browsers.
- 2.3 Tasks and Deliverables.** The Judicial Council anticipates the following major tasks and specific deliverables in connection with the scope of services described in this Request for Proposals (RFP). Without changing the Deliverables, the Proposer should correct, validate and expand on the tasks, as deemed necessary or desirable by the Proposer.
- 2.3.1 Task 1 – Development of E-Learning tools for various units in the Center for Families, Children and the Courts division of the Judicial Council.

2.3.1.1 Distance learning curricula #1 (Topic: 1-1.5-hour Domestic Violence)

2.3.1.1.1 Meet online with Judicial Council staff to discuss updating curriculum and identify needs, gaps, objectives, and outcomes for this project. The intended audience includes domestic violence professionals and attorneys.

2.3.1.1.2 Create an interactive distance learning tool with already established curricula. Interactive tasks should include multi-media presentations and training methods including hypotheticals, practice exercises, case studies, and any other adult learning method that would keep adult learners engaged.

2.3.1.1.3 Learning objectives:

- Participants will recognize the differences between legal and clinical definitions of domestic violence and how each is applied in a dependency case.
- Participants will describe how domestic violence affects children.
- Participants will summarize dependency law in this area.
- Participants will compare how California law reflects national standards.
- Participants will apply tips on how to represent parents and children in dependency cases where domestic violence occurs.

2.3.1.1.4 **Deliverable 1:** Complete draft of distance learning tool for review by the Judicial Council by **August 1, 2021**.

2.3.1.1.5 **Deliverable 2:** Deliver completed Distance Learning Tool for Domestic Violence Curricula by **September 30, 2021**.

2.3.1.2 Distance Learning Curricula #2 (Topic: 8 hours Juvenile Law and Process)

2.3.1.2.1 Meet online with Judicial Council staff to discuss updating curriculum and identify needs, gaps, objectives and outcomes for this project. The intended audiences are dependency attorneys.

2.3.1.2.2 Create an interactive distance learning tool with already established curricula. Interactive tasks should include multi-media presentations and training methods including hypotheticals, practice exercises, case studies, and any other adult learning method that would keep adult learners engaged.

2.3.1.2.3 Learning Objectives:

- Participants will be able to distinguish the legal requirements and standards of proof in dependency law and procedures throughout the dependency process.
- Participants will be able to articulate knowledge of the timelines and legal mandates in a dependency case.
- Participants will be able to identify the purpose and potential outcomes of statutory hearings throughout the dependency process.
 - Participants will be able to demonstrate a basic understanding of child development, child abuse and neglect, substance abuse, domestic violence, family reunification and preservation, reasonable efforts required, and cultural competence and sensitivity related to representation of and issues related to LGBTQ youth in out-of-home placement.

2.3.1.2.4 **Deliverable 3:** Complete draft of distance learning tool for review by the Judicial Council by **June 28, 2021**. The curriculum for this training consists of the follow eight chapters in sequential order.

Chapter 1: Introduction and Considerations

Chapter 2: Initial Petition Hearing

Chapter 3: Jurisdiction Hearing

Chapter 4: Disposition Hearing

Chapter 5: Status Review Hearing

Chapter 6: Selection and Implementation Hearings

Chapter 7: Post-Permanency Review Hearings

Chapter 8: Nonminor Dependent Hearings

2.3.1.2.5 **Deliverable 4:** Complete four chapters of the Distance Learning Tool for 8-hour Juvenile Law and Process Curricula by **June 27, 2022.**

2.3.1.2.6 **Deliverable 5:** Deliver the remaining 4 chapters for completed Distance Learning Tool for 8-hour Juvenile Law and Process Curricula by **September 15, 2022.**

2.3.1.3 Distance Learning Curricula #3 (Topic: 1-1.5-hour Indian Child Welfare Act (ICWA) inquiry and notice)

2.3.1.3.1 Meet online with Judicial Council staff to discuss updating curriculum and identify needs, gaps, objectives and outcomes for this project. The anticipated audience for this training includes county counsel, parents representing children and parents in juvenile proceedings, judicial officers and court staff in juvenile assignments as well as social workers and probation officers.

2.3.1.3.2 Create an interactive distance learning tool with already established curricula. Interactive tasks should include multi-media presentations and training methods including hypotheticals, practice exercises, case studies, and any other adult learning method that would keep adult learners engaged.

2.3.1.3.3 Learning Objectives:

- Participants will be able to identify information giving rise to “reason to believe” a child is an Indian child and “reason to know” child is an Indian child.
- Participants will be able to identify the steps for further inquiry.
- Participants will be able to identify when formal ICWA notice is required.

2.3.1.3.4 **Deliverable 6:** Complete draft of distance learning tool for review by the Judicial Council by **June 1, 2021.**

2.3.1.3.5 **Deliverable 7:** Deliver completed Distance Learning Tool for ICWA inquiry and notice by **June 30, 2021.**

2.3.1.4 Distance Learning #4 (Topic: 1-hour Self Help Ethics)

2.3.1.4.1 Meet online with Judicial Council staff to discuss creation of curriculum project. Anticipated audience is attorneys and other staff working or volunteering in court-based self-help centers.

2.3.1.4.2 Create an interactive distance learning tool. Building on existing audio content, interactive tasks should include multi-media presentations and training methods including hypotheticals, practice exercises, case studies, and any other adult learning method that would keep adult learners engaged.

2.3.1.4.3 Learning Objectives:

- Participants will be able to identify relevant rules and guidelines for common ethical issues.
- Participants will be able to undertake an analysis of common ethics questions.
- Participants will learn skills to address common ethical issues.

2.3.1.4.4 **Deliverable 8:** Complete initial draft of distance learning tool for review by the Judicial Council by **June 30, 2021**.

2.3.1.4.5 **Deliverable 9:** Deliver completed Distance Learning Tool by **September 30, 2021**.

2.3.1.5 Distance Learning #5 (Topic: 1-hour Self Help Civil Legal Issues)

2.3.1.5.1 Meet online with Judicial Council staff to discuss creation of curriculum project. Anticipated audience: attorneys and other staff working or volunteering in court-based self-help centers.

2.3.1.5.2 Create an interactive distance learning tool. Interactive tasks should include multi-media presentations and training methods including hypotheticals, practice exercises, case studies, and any other adult learning method that would keep adult learners engaged.

2.3.1.5.3 Learning Objectives:

- Participants will be able to address commonly asked questions regarding civil cases.
- Participants will be able to address questions about recent changes in the law.
- Participants will be able to identify resources for additional information.

2.3.1.5.4 **Deliverable 10:** Complete initial draft of distance learning tool for review by the Judicial Council by **June 30, 2021**.

2.3.1.5.5 **Deliverable 11:** Deliver completed Distance Learning Tool
by **September 30, 2021.**

3.0 TIMELINE FOR THIS RFP

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

| EVENT | DATE |
|--|---|
| RFP issued | 4/2/2021 |
| Deadline for questions submitted to: solicitations@jud.ca.gov | 4/13/2021 no later than 1:00pm PST |
| Questions and answers posted (estimate only) www.courts.ca.gov/rfps.htm | 4/16/2021 |
| Latest date and time proposal may be submitted solicitations@jud.ca.gov | 4/22/2021 no later than 1:00pm PST |
| Evaluation of proposals (<i>estimate only</i>) | 4/23/2021-4/30/2021 |
| Notice of Intent to Award posted(<i>estimate only</i>) www.courts.ca.gov/rfps.htm Deadline to Submit Award Protest (JCC must receive award protest within 5 days of Notice of Intent to Award) | 5/3/2021 |
| Negotiations and execution of contract (<i>estimate only</i>) | 5/4/2021-5/14/2021 |
| Contract start date (<i>estimate only</i>) | 5/17/2021 |
| Contract end date | 9/30/2021 |

4.0 RFP ATTACHMENTS

The following attachments are included as part of this RFP:

| ATTACHMENT | DESCRIPTION |
|--|--|
| Attachment 1: Administrative Rules Governing RFPs (Non-IT Services) | These rules govern this solicitation. |
| Attachment 2: JCC Standard Terms and Conditions | If selected, the person or entity submitting a proposal (the “Proposer”) must sign this Judicial Council Standard Form agreement containing these terms and conditions (the “Terms and Conditions”). |
| Attachment 3: Proposer’s Acceptance of Terms and Conditions | On this form, the Proposer must indicate acceptance of the Terms and Conditions or identify exceptions to the Terms and Conditions. |
| Attachment 4: General Certifications Form | The Proposer must complete the General Certifications Form and submit the completed form with its proposal. |
| Attachment 5: Darfur Contracting Act Certification | The Proposer must complete the Darfur Contracting Act Certification and submit the completed certification with its proposal. |
| Attachment 6: Payee Data Record Form | This form contains information the JBE requires in order to process payments and must be submitted with the proposal. |
| Attachment 7: Bidder Declaration | Complete this form only if the Proposer wishes to claim the DVBE incentive associated with this solicitation. |
| Attachment 8: DVBE Declaration | Complete this form only if the Proposer wishes to claim the DVBE incentive associated with this solicitation. |

5.0 PAYMENT INFORMATION

The amount of the initial contract depends on the number of topics awarded to a proposer.

- Courses in the areas of Domestic Violence (Deliverable 1 and 2),
- Indian Child Welfare Act (Deliverables 6 and 7),
- Self Help Ethics (Deliverables 8 and 9) and Self Help Civil Legal Issues (Deliverables 10 and 11) conclude during the initial term.
- Course of Juvenile Law and Process (Deliverables 3, 4 and 5) starts in the initial term and concludes in the second term.

Each topic above completing in the initial term are comprised of two (2) deliverables with a firm fixed price of **\$2,500 per deliverable for a total of \$5,000 per topic.**

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- The Juvenile Law & Practice Course is comprised of three (3) deliverables with a maximum amount of **\$15,000.00**.

The proposed amounts are inclusive of travel and all other expenses.

The Selected Proposer shall submit invoices upon satisfactory completion of services for each deliverable outlined in Section 2. Invoice shall include, in detail, all costs and applicable charges.

The payment term is Net 60 days from the receipt of correct invoice.

Payment will be made after completion of deliverables as follows:

| Payment Number | Billable Activity | Estimated Maximum Amount to Bid | Invoice Due Date |
|-----------------------|-------------------------------|--|-------------------------|
| #1 | Completion of Deliverable #1 | \$2,500 | August 1, 2021 |
| #2 | Completion of Deliverable #2 | \$2,500 | September 30, 2021 |
| #3 | Completion of Deliverable #3 | \$2,500 | June 28, 2021 |
| #4 | Completion of Deliverable #4 | \$6,250 | June 27, 2022 |
| #5 | Completion of Deliverable #5 | \$6,250 | September 15, 2022 |
| #6 | Completion of Deliverable #6 | \$2,500 | June 1, 2021 |
| #7 | Completion of Deliverable #7 | \$2,500 | June 30, 2021 |
| #8 | Completion of Deliverable #8 | \$2,500 | June 30, 2021 |
| #9 | Completion of Deliverable #9 | \$2,500 | September 30, 2021 |
| #10 | Completion of Deliverable #10 | \$2,500 | June 30, 2021 |

| | | | |
|-----|-------------------------------|---------|--------------------|
| #11 | Completion of Deliverable #11 | \$2,500 | September 30, 2021 |
|-----|-------------------------------|---------|--------------------|

6.0 SUBMISSIONS OF PROPOSALS

- 6.1 Proposals should provide straightforward, concise information that satisfies the requirements of the “Proposal Contents” section below. 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.
- a. The Proposer must submit an electronic copy of the technical proposal. The proposal must be signed by an authorized representative of the Proposer. The technical proposal must be submitted via email to Solicitations@jud.ca.gov. The Proposer must write the RFP title and number in the subject line of the email.
 - b. The Proposer must submit their Cost Proposal as a separate attachment to an email sent to solicitations@jud.ca.gov. The proposal must be signed by an authorized representative of the Proposer. It should be a separate attachment marked “COST PROPOSAL”, from the technical proposal. The Cost Proposal must include all components required in Section 7.2.
- 6.3 Proposals must be delivered by the date and time listed on the coversheet of this RFP.
- 6.4 Late proposals will not be accepted.
- 6.5 Submission acceptance will be based on the date and time the emails are received by the Judicial Council. Both emails must be received prior to the due date and time or the proposal will not be accepted.

7.0 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.
- a. The Proposer’s name, address, telephone and fax numbers, and federal tax identification number. Note that if the Proposer is a sole proprietor using their social security number, the social security number will be required before finalizing a contract.

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- b. Name, title, address, telephone number, and email address of the individual who will act as the Proposer's designated representative for purposes of this RFP.
- c. A minimum of two (2) clients to serve as references for whom the Proposer has conducted similar services. References are to include names, addresses, telephone numbers and the email address of a contact person for each client. The JCC may contact referenced clients when reviewing an offer to verify the information provided.
- d. Resume for each individual proposed to work on this project. Resumes should include a person's education, any applicable credentials and/or certifications, current work history and a summary of experience and knowledge to support the project as outlined in Section 2.0.
- e. Statement of Proposer's experience on similar assignments.
- f. At least two examples of online courses developed by Proposer.
- g. Proposed Work Plan based on Section 2.0: Description of Services and Deliverables, including timeframe for completion for all proposed tasks, using the general deadlines provided in Section 2.3.
- h. Acceptance of the Terms and Conditions.
 - i. On Attachment 3, the Proposer must check the appropriate box and sign the form. If the Proposer marks the second box, it must provide the required additional materials. An "exception" includes any addition, deletion, or other modification.
 - ii. If exceptions are identified, the Proposer must also submit (i) a red-lined version of the Terms and Conditions that implements all proposed changes, and (ii) a written explanation or rationale for each exception and/or proposed change.
- i. Certifications, Attachments, and other requirements.
 - i. The Proposer must complete the General Certifications Form (Attachment 4) and submit the completed form with its proposal.
 - ii. The Proposer must complete the Darfur Contracting Act Certification (Attachment 5) and submit the completed certification with its proposal.
 - iii. The Proposer must complete the Payee Data Record form (Attachment 6).

- iv. If Contractor is a California corporation, limited liability company (“LLC”), limited partnership (“LP”), or limited liability partnership (“LLP”), proof that Contractor is in good standing in California. If Contractor is a foreign corporation, LLC, LP, or LLP, and Contractor conducts or will conduct (if awarded the contract) intrastate business in California, proof that Contractor is qualified to do business and in good standing in California. If Contractor is a foreign corporation, LLC, LP, or LLP, and Contractor does not (and will not if awarded the contract) conduct intrastate business in California, proof that Contractor is in good standing in its home jurisdiction.

7.2 Cost Proposal. The following information must be included in the cost proposal.

- i. A detailed line item budget for each deliverable(s) described in Section 2.0 and the costs shall not exceed the Estimated Maximum Amount to Bid.
- ii. A full explanation of all budget line items in a narrative entitled “Budget Justification.”
- iii. A “not to exceed” total for all work and expenses payable under the contract, if awarded.

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.

8.0 OFFER PERIOD

A Proposer's proposal is an irrevocable offer for ninety (90) days following the proposal due date. In the event a final contract has not been awarded within this period, the JBE reserves the right to negotiate extensions to this period.

9.0 EVALUATION OF PROPOSALS

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

The JCC will evaluate the proposals on a 100-point scale using the criteria set forth in the table below. Award, if made, will be to the highest-scored proposal.

If a contract will be awarded, the JBE will post an intent to award notice at <http://www.courts.ca.gov/rfps.htm>.

| CRITERION | MAXIMUM NUMBER OF POINTS |
|--|--------------------------|
| Quality of work plan submitted and Proposer’s understanding of the problem or needs. (<i>Section 2.0.</i>) | 20 |
| Experience on similar assignments | 25 |
| Reasonableness of cost projections. Proposals will be evaluated in terms of reasonableness of cost, best value, and proposed rate structure. | 30 |
| Qualifications of Proposer based on resumes submitted including experience, expertise and credentials, if any. | 7 |
| Acceptance of the Terms and Conditions | 10 |
| Ability to meet timing requirements to complete the project | 5 |
| Disabled Veteran Business Enterprise Incentive (Section 12.0) | 3 |

10.0 INTERVIEWS

The JCC may conduct interviews with Proposers to clarify aspects set forth in their proposals or to assist in finalizing the ranking of top-ranked proposals. The interviews may be conducted via WebEx or by phone. The JCC will notify eligible Proposers regarding interview arrangements.

11.0 CONFIDENTIAL OR PROPRIETARY INFORMATION

PROPOSALS ARE SUBJECT TO DISCLOSURE PURSUANT TO APPLICABLE PROVISIONS OF THE CALIFORNIA PUBLIC CONTRACT CODE AND RULE 10.500 OF THE CALIFORNIA RULES OF COURT. The JBE will not disclose (i) social security numbers, or (ii) balance sheets or income statements submitted by a Proposer that is not a publicly-traded corporation. All other information in proposals will be disclosed in response to applicable public records requests. Such disclosure will be made regardless of whether the proposal (or portions thereof) is marked “confidential,” “proprietary,” or otherwise, and regardless of any statement in the proposal (a) purporting to limit the JBE’s right to disclose information in the proposal, or (b) requiring the JBE to inform or obtain the consent of the Proposer prior to the disclosure of the proposal (or portions thereof). Any proposal that is password protected, or contains portions that are password protected, may be rejected. Proposers are accordingly cautioned not to include confidential, proprietary, or privileged information in proposals.

12.0 DISABLED VETERAN BUSINESS ENTERPRISE INCENTIVE

Qualification for the DVBE incentive is not mandatory. Failure to qualify for the DVBE incentive will not render a proposal non-responsive.

Eligibility for and application of the DVBE incentive is governed by the Judicial Council's DVBE Rules and Procedures. Proposer will receive a DVBE incentive if, in the Judicial Council's sole determination, Proposer has met all applicable requirements. If Proposer receives the DVBE incentive, a number of points will be added to the score assigned to Proposer's proposal. The number of points that will be added is specified in Section 9.0 above.

To receive the DVBE incentive, at least 3% of the contract goods and/or services must be provided by a DVBE performing a commercially useful function. Or, for solicitations of non-IT goods and IT goods and services, Proposer may have an approved Business Utilization Plan ("BUP") on file with the California Department of General Services ("DGS").

If Proposer wishes to seek the DVBE incentive:

1. Proposer must complete and submit with its proposal the Bidder Declaration (Attachment 7). Proposer must submit with the Bidder Declaration all materials required in the Bidder Declaration.
2. Proposer must submit with its proposal a DVBE Declaration (Attachment 8) completed and signed by each DVBE that will provide goods and/or services in connection with the contract. If Proposer is itself a DVBE, it must complete and sign the DVBE Declaration. If Proposer will use DVBE subcontractors, each DVBE subcontractor must complete and sign a DVBE Declaration. **NOTE:** The DVBE Declaration is not required if Proposer will qualify for the DVBE incentive using a BUP on file with DGS.

Failure to complete and submit these forms as required will result in Proposer not receiving the DVBE incentive. In addition, the Judicial Council may request additional written clarifying information. Failure to provide this information as requested will result in Proposer not receiving the DVBE incentive.

If this solicitation is for IT goods and services, the application of the DVBE incentive may be affected by application of the small business preference. For additional information, see the Judicial Council's Small Business Preference Procedures for the Procurement of Information Technology Goods and Services.

If Proposer receives the DVBE incentive: (i) Proposer will be required to complete a post-contract DVBE certification if DVBE subcontractors are used; (ii) Proposer must use any DVBE subcontractor(s) identified in its proposal unless the Judicial Council

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approves in writing the substitution of another DVBE; and (iii) failure to meet the DVBE commitment set forth in its proposal will constitute a breach of contract.

FRAUDULENT MISREPRETATION IN CONNECTION WITH THE DVBE INCENTIVE IS A MISDEMEANOR AND IS PUNISHABLE BY IMPRISONMENT OR FINE, AND VIOLATORS ARE LIABLE FOR CIVIL PENALTIES. SEE MVC 999.9.

13.0 PROTESTS

Any protests will be handled in accordance with Chapter 7 of the Judicial Branch Contracting Manual (see www.courts.ca.gov/documents/jbcl-manual.pdf). 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.

The deadline for the Judicial Council to receive a solicitation specifications protest is 4/20/2021. (Indicate Solicitation Number and Name of Your Firm in the email.) Protests must be sent to: Solicitations@jud.ca.gov or the address below:

Judicial Council of California
Branch Accounting and Procurement, Administrative Division
Attn: Protest Hearing Officer, RFP Number: CFCC-2021-23-DM
455 Golden Gate Avenue, 6th Floor
San Francisco, CA 94102-3688