



INVITATION FOR BIDS

**ADMINISTRATIVE OFFICE OF THE
COURTS (AOC)**

REGARDING:

Pervasive Software per specifications

BIDS DUE:

Thursday 06/07/12 NO LATER THAN ***12:00 P.M.***
PACIFIC TIME

1.0 BACKGROUND INFORMATION

- 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.
- 1.2 Website. 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.

2.0 DESCRIPTION OF SERVICES AND DELIVERABLES

The AOC seeks goods/software meeting the following specifications:

See Attachment 1

3.0 TIMELINE FOR THIS IFB

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

EVENT	DATE
IFB issued	<i>05/31/12</i>
Deadline for questions to solicitations@jud.ca.gov	<i>06/01/12 by 3:00pm</i>
Questions and answers posted	<i>06/04/12 by 4:00pm</i>
Latest date and time bids may be submitted	<i>Thursday 06/07/12 no later than 12:00pm</i>
Bids publicly opened	<i>Friday 06/08/12, at 10:00am, at 7636</i>
Notice of Intent to Award (<i>estimate only</i>)	<i>06/11/12</i>
Issuance of Purchase Order (<i>estimate only</i>)	<i>06/12/12</i>

4.0 IFB ATTACHMENTS/DOCUMENTS

The following attachments are included as part of this IFB:

ATTACHMENT / DOCUMENT	DESCRIPTION
Attachment 1: Specifications	Specifications/Quantities for Pervasive Software
Attachment 2: Darfur Certification Form	This form contains the certifications required when submitting a bid and must be submitted with the bid.
Administrative Rules Governing IFBs	These rules govern this solicitation; see http://www.courts.ca.gov/documents/jbcm-ITadminrulesGoods.pdf .
AOC Standard Terms and Conditions	If selected, the person or entity submitting a bid (“Bidder”) must agree to the terms and conditions at http://www.courts.ca.gov/documents/jbcm-attach1po-IT.pdf Note: A material exception to the Terms and Conditions will render a bid non-responsive.
Payee Data Record Form	This form contains information the AOC requires in order to process payments; see http://www.courts.ca.gov/documents/Std204.pdf .

5.0 SUBMISSIONS OF BIDS

- 5.1 Bids should provide straightforward, concise information that satisfies the requirements of Section 6 (“Bid Contents”). Expensive bindings, color displays, and the like are not necessary or desired. Emphasis should be placed on conformity to the IFB’s instructions and requirements, and completeness and clarity of content.
- 5.2 The Bidder must submit its bid in two parts, the non-cost information and the cost information.
 - a. The Bidder must submit **one (1) original and (1) copies** of the non-cost information. The original must be signed by an authorized representative of the Bidder. The non-cost information (including all copies thereof) must be submitted to the AOC in a single sealed envelope, separate from the cost information. The Bidder must write the IFB title and number on the outside of the sealed envelope.
 - b. The Bidder must submit **one (1) original and (1) copy** of the cost information. The original must be signed by an authorized representative of the Bidder. The cost information (including all copies thereof) must be submitted to the AOC in a single sealed envelope, separate from the non-cost information. The Bidder must write the IFB title and number on the outside of the sealed envelope.

- 5.3 Bids must be delivered by the date and time listed on the coversheet of this IFB to:

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

- 5.4 Late bids will not be accepted.
- 5.5 Only written bids will be accepted. Bids must be sent by registered or certified mail, courier service (e.g. FedEx), or delivered by hand. Bids may not be transmitted by fax or email.

6.0 BID CONTENTS

- 6.1 Non-Cost Information. The following should be included in the non-cost information. A bid lacking any of the following may be deemed non-responsive.
- a. Bidder's name, address, telephone and fax numbers, and federal tax identification number. Note that if Bidder is a sole proprietor using his or her social security number, the social security number will be required before finalizing a contract.
 - b. Name, title, address, telephone number, and email address of the individual who will act as Bidder's designated representative for purposes of this IFB.
 - c. Model number(s), specifications, or other description of the goods Bidder proposes to supply to the AOC, including warranty information.
 - d. Acceptance of the Terms and Conditions.
 - i. Bidder must either indicate acceptance of the Terms and Conditions or clearly identify exceptions to the Terms and Conditions. An "exception" includes any addition, deletion, qualification, limitation, or other change. If no exceptions are noted, then acceptance will be deemed.
 - ii. If exceptions are identified, the Bidder must also submit a red-lined version of the Terms and Conditions that clearly tracks proposed changes, and a written explanation or rationale for each exception and/or proposed change.
 - iii. **Note: A material exception to the Terms and Conditions will render a bid non-responsive.**

- f. Certifications, Attachments, and other requirements.
 - i. Bidder must include the following certification in its bid:

Bidder has no interest that would constitute a conflict of interest under California Public Contract Code sections 10365.5, 10410 or 10411; Government Code sections 1090 et seq. or 87100 et seq.; or rule 10.103 or rule 10.104 of the California Rules of Court, which restrict employees and former employees from contracting with judicial branch entities.
 - ii. If the Bidder has never been issued a purchase order by or has had a contract with the AOC, then the Bidder must include in its bid a completed and signed Payee Data Record Form, or provide a copy of a form previously submitted to the AOC.
 - iii. If Bidder is a corporation, proof that Bidder is in good standing and qualified to conduct business in California.
 - iv. In its bid, Bidder must certify that it and all of its affiliates that make sales for delivery into California are holders of either (i) a California seller's permit issued under Revenue and Taxation Code section 6066 and following; or (ii) a certificate of registration issued under Revenue and Taxation Code section 6226.

6.2 Cost Information. The following must be included in the cost information.

- a. The cost per unit for the goods described in the non-cost information.

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.

7.0 OFFER PERIOD

A Bidder's bid is an irrevocable offer for thirty (30) days following the bid due date. In the event a final contract has not been awarded within this thirty (30) day period, the AOC reserves the right to negotiate extensions to this period.

8.0 EVALUATION OF BIDS

The bids will be publicly opened at *the time and place noted in Section 3.0, Timeline for this IFB.*

The AOC will evaluate the bids as described in the Administrative Rules. Award, if made, will be to the lowest responsible bidder meeting specifications.

The AOC may conduct interviews with Bidders to clarify aspects of their bids. The interview process may require a demonstration of equivalence if a brand name is included in the specifications. The interviews may be conducted in person or by phone. If conducted in person, interviews will likely be held at the AOC's offices in San Francisco. The AOC will not reimburse Bidders for any costs incurred in traveling to or from the interview location. The AOC will notify eligible Bidders regarding interview arrangements.

9.0 CONFIDENTIAL OR PROPRIETARY INFORMATION

One copy of each bid 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 (see www.courtinfo.ca.gov/cms/rules/index.cfm?title=ten&linkid=rule10_500), which governs public access to judicial administrative records.

If information submitted in a bid 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.

10.0 DISABLED VETERAN BUSINESS ENTERPRISE PARTICIPATION GOALS

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

11.0 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 Bidder 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 AOC to receive a solicitation specifications protest is within **24 hours after the bid due date and time**. Protests should be sent to:

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