

REQUEST FOR PROPOSALS

CALIFORNIA APPELLATE COURTS

REGARDING:

E-FILING

RFP # ITSO-2013-01-DCA

PROPOSALS DUE:

March 20, 2013 NO LATER THAN 4:30 P.M. PACIFIC TIME

1.0 BACKGROUND INFORMATION

1.1 Judicial Council of California

The Judicial Council of California, under the leadership of the Chief Justice, is the policymaking body of California's judicial branch. In accordance with the California Constitution, the council is responsible for ensuring the consistent, independent, impartial, and accessible administration of justice. 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 council performs most of its work through advisory committees and task forces.

1.2 Administrative Office of the Courts (AOC)

The AOC is the staff agency to the Judicial Council and assists both the council and its chair in performing their duties. The Information Technology Services Office (ITSO) is responsible for the development, acquisition, implementation, and support of automated systems in the appellate courts and the AOC. Over the past several years, the AOC scope of responsibility has broadened to include collaboration of technological developments and projects with the courts branchwide.

1.3 California First District Court of Appeal (Court)

The Courts of Appeal were established by constitutional amendment in 1904. They are California's intermediate courts of review and carefully examine cases appealed from the trial courts and in certain other cases prescribed by statute. They exercise mandatory review of any appealable order or judgment from a superior court, except in cases in which the death penalty is imposed, over which the Supreme Court exercises original mandatory jurisdiction.

The Court of Appeal for the First Appellate District is located at 350 McAllister Street, San Francisco.

The First Appellate District in 1905 consisted of three justices in the original Division One, who heard all appellate matters from Alameda, Contra Costa, Fresno, Marin, Monterey, San Benito, San Francisco, San Mateo, Santa Clara, and Santa Cruz counties. Division Two of the First Appellate District was created by a 1918 constitutional revision established two divisions of three justices each. Since then the Court has grown, reflecting the increasing population and case growth in the district. Division Three was added in 1961 and Division Four in 1966. In 1975 the number of justices in each division was increased to four. In 1981 a Fifth Division was created and the counties of Santa Clara, Santa Cruz, San Benito and Monterey were removed from the First District to create the Sixth Appellate District.

Today the 20 justices of the First Appellate District serve the residents of twelve Northern California counties: Alameda, Contra Costa, Del Norte, Humboldt, Lake, Marin, Mendocino, Napa, San Francisco, San Mateo, Solano, and Sonoma. Each year the justices review over 2000 criminal, civil, and juvenile appeals and over 1300 original proceedings.

1.4 Appellate Court Case Management System (ACCMS)

ACCMS is the primary business system for the Supreme Court and the District Courts of Appeal used to track and manage case processing. ACCMS was developed and is maintained by the AOC Information Technology Services Office (ITSO), working closely with staff in the Courts of Appeal and the Supreme Court. The ACCMS development team provides primary production support to court operations by assisting the appellate courts with modification of configurable automation rules for court business processes; maintenance of shared reference information; and development of customized data reports. Changes are deployed through quarterly releases and critical patches. This centralized Web-based application is hosted at the California Courts Technology Center (CCTC), which is the branch's Tier 1 data center, allowing the courts to leverage the center's hosting infrastructure, 24/7 operational support, and automated monitoring capabilities.

ACCMS has been deployed to all of the Courts of Appeal and the Supreme Court. Approximately 1,000 court staff regularly access ACCMS on a daily basis. Currently, ACCMS does not support e-filing. The AOC intends to design, develop, and implement e-filing capabilities into ACCMS in parallel and in conjunction with the solution requested herein.

2.0 DESCRIPTION OF GOODS AND/OR SERVICES

2.1 Purpose

The purpose of this Request for Proposal (RFP) is to obtain a solution that provides a branchwide electronic filing (e-filing) services solution for the Courts of Appeal and the Supreme Court. This would be accomplished in two phases. Phase 1 consists of the First District Court of Appeal as the pilot court. Phase 2 may include the remaining Courts of Appeal and the Supreme Court and may entail additional mutually agreed upon requirements from Phase 1.

The solution will provide a self-directed and intuitive portal and other e-filing for attorneys, government filers and self-represented litigants. The portal and associated services should be modern, efficient, reliable, and economical. It is also the goal of this RFP to engage a single vendor, who is experienced and capable of executing an efficient project, to implement both Phase 1 and Phase 2.

The solution includes but is not limited to:

- State of the art e-filing web-based public-facing portal
- Portal integration with the ACCMS
- E-filing provider services including:

- implementation
- development
- deployment
- hosting
- training
- maintenance
- support
- Vendor provided requirements for the network infrastructure necessary to implement the solution (for the Court and AOC to satisfy)

The proposed solution for both Phase 1 and Phase 2 will be at no cost to the Judicial Branch (i.e., the selected vendor will not be paid for development, implementation, deployment, hosting, training, maintenance, support, etc. for vendor portion of the solution for the duration of any resulting contract or renewal) and requests that the vendor responding with a proposal (Proposer) submit a cost recovery model with details on how the Proposer will benefit from the solution described in its proposal.

The agreement made for this RFP is between the selected vendor and the First District Court of Appeal. The goal is to create a contract that the Supreme Court and other Appellate District Courts may opt into.

2.2 Scope

The scope of the RFP is to obtain a vendor hosted e-filing portal, network infrastructure and implementation services for Phases One and Two of the e-filing solution. Both Phase 1 and Phase 2 requirements are included in the requirement attachment.

Phase 1 E-Filing solution includes:

- Portal application software and licensing that meets the Phase 1 functional and non-functional (technical) requirements for Court (*Attachment 4*)
- Bi-directional interface between the Portal and ACCMS to enable clerk review and e-service

Phase 2 E-Filing solution includes Phase 1 and:

- Expansion to include the Supreme Court
- Expansion to all other District Courts of Appeal
- Support of self-represented litigant e-filers
- Support of government e-filers
- Fee waiver processing

Implementation Services includes:

- Implementation Plan
- Desktop hardware and software recommendations
- Collaboration activities with ACCMS team to develop and integrate data exchanges

- Testing and validation of all system functionality, including end-to-end testing of all data exchanges with ACCMS
- End user training
- Help desk services and problem resolution processes
- Ongoing maintenance and support of the e-filing solution

The Network Infrastructure includes:

- Network design specifications for network security and bandwidth specifications
- System hosting and availability
- Integration support for the network infrastructure to function with the Portal and ACCMS

3.0 ROLES & RESPONSIBILITIES

3.1 Vendor Project Responsibilities

The vendor will meet the following responsibilities to support completion of project tasks and delivery schedule. The Vendor Project Manager is the Vendor's representative who will operate as the main interface between the Court and AOC regarding the work to be performed under this RFP.

The Vendor Project Manager will:

- Work jointly with the Court and the AOC to ensure project success
- Develop and maintain a Court/AOC approved project plan and manage necessary resources
- Develop and ensure timely completion of all necessary tasks required to meet the project delivery schedule
- Provide necessary assistance and support to the Court Project Manager regarding implementation and integration with ACCMS
- Will have knowledge of Court/AOC standards, procedures and business processes, as generally implemented in the industry, and be able to designate vendor support personnel who may be required to participate on project teams
- Keep the Court/AOC apprised of business, organizational and technical issues that may have an impact on the performance and delivery of this project
- Work with the Court/AOC on issues and risks that may cause delays in the delivery schedule
- Maintain issue and resolution documentation and provide status reports
- Agree to timely resolution of issues and completion of tasks within the vendor's scope of responsibility that are causing delay to the delivery schedule

3.2 Court Project Responsibilities

The Court will meet the following responsibilities to support implementation tasks and the delivery schedule. The Court Project Manager is the Court's representative who will

operate as the main interface between Vendor and the Court regarding the work to be performed under this RFP.

The Court Project Manager will:

- Develop a separate project plan detailing all necessary Court tasks and resources required to meet the project delivery schedule
- Work jointly with vendor and the AOC to ensure project success
- Collaborate with the vendor to ensure timely completion of Court responsibilities to support the project delivery schedule
- The Court will provide assistance and support to the Vendor Project Manager regarding issues requiring Court-specific decisions and actions
- Have knowledge of Court standards, procedures, business processes and strategic goals, and be able to designate support personnel who may be required to participate on project teams
- Keep the Vendor Project Manager apprised of business, organizational and technical issues that may have an impact on the performance and delivery of this project
- Work with the Vendor Project Manager on issues and risks that may cause delays in the delivery schedule

The Court will provide the vendor access (during normal business hours and other mutually agreed-upon times) to Court functional, technical and business staff, facilities, and equipment.

The Court will agree to timely resolution of issues and completion of tasks within the Court's scope of responsibility that are causing delay to the delivery schedule.

3.3 AOC Project Responsibilities

The AOC will meet the following responsibilities to support implementation tasks and the delivery schedule. The AOC Project Manager is the AOC's representative who will operate as the main interface between Contractor and the AOC regarding the work to be performed under this RFP.

The AOC Project Manager will:

- Develop a separate project plan detailing all necessary AOC tasks and resources
- Work jointly with the Vendor and Court to ensure project success
- Collaborate with the Vendor to ensure timely completion of Court responsibilities to support the project delivery schedule
- The AOC will provide assistance and support to the Vendor Project Manager regarding issues requiring AOC-specific decisions and actions
- Have knowledge of AOC standards, procedures, business processes and strategic goals, and be able to designate support personnel who may be required to participate on project teams
- Keep the Vendor Project Manager apprised of business, organizational and technical issues that may have an impact on the performance and delivery of this project
- Work with the Vendor Project Manager on issues and risks that may cause delays in the delivery schedule

The AOC will provide assistance and cooperation, complete and accurate information/data, and access to, if required:

- Systems and networks
- Current processes and procedures
- Workflow diagrams
- Architectural designs
- On-site resource personnel as needed for functional and technical reviews

The AOC will provide technical support for AOC-supplied infrastructure and components including responsibility for network connectivity, network performance, and network configuration issues. The AOC will agree to timely resolution of issues and completion of tasks within the AOC’s scope of responsibility that are causing delay to the delivery schedule.

4.0 VENDOR PROPOSED COST RECOVERY MODEL

The solution shall be no cost to the Judicial Branch for both Phase 1 and Phase 2.

Vendors responding to this RFP must provide a detailed description of any proposed methodologies and approaches to recover costs for both Phase 1 and Phase 2. The Court/AOC reserves the right to reject any proposal for any reason.

The Judicial Branch will not reimburse Proposers for any costs related to the solution and services provided.

5.0 TIMELINE FOR THIS RFP

5.1 Proposed Procurement Schedule

Proposals are due by March 20, 2013. Below are key events and dates for this RFP. Changes to the schedule prior to the submission deadline will be posted on the AOC RFP site (<http://www.courts.ca.gov/rfps.htm>). Changes to the schedule after the submission deadline will be communicated by email directly to the proposers.

No.	Key Events	Key Dates
1	AOC issues RFP on behalf of the Court	2/8/13
2	Deadline for proposers to register for Pre-Proposal {Q&A} Conference	2/22/13
3	Pre-Proposal Conference (2:00 PM – 5:00 PM PDT via Conference Call)	2/26/13
4	Deadline for proposers to submit questions, requests for clarifications or modifications to Solicitations@jud.ca.gov	3/4/13
5	Post Vendor Questions and Court/AOC Answers	3/7/13*
6	Vendor Solicitation Specifications Protest Deadline	2/28/13
7	Proposal due date and time (4:30 PM, PDT)	3/20/13
8	Invitations for Interviews/Demonstrations	3/25/13- 3/27/13*

No.	Key Events	Key Dates
9	Presentations (solution demonstrations and interviews)	4/1/13-4/3/13*
10	Complete Evaluations and Scoring	4/ 15/13*
11	Notice of selection	4/ 16/13*
12	Execution of contract between vendor and Court	6/6/13*

* Denotes estimated dates. Changes to these dates may not be posted.

6.0 PRE-PROPOSAL CONFERENCE

The Court and the AOC will host a pre-proposal conference on the date identified in the timeline above. The pre-proposal conference will be held via conference call. Email Solicitations@jud.ca.gov to register for the conference. Attendance at the pre-proposal conference is optional. Proposers are encouraged to attend.

7.0 RFP ATTACHMENTS

The following attachments are included as part of this RFP.

ATTACHMENT	DESCRIPTION
Attachment 1: Administrative Rules Governing RFPs (IT Goods and Services)	These rules govern this solicitation
Attachment 2: Vendor Data Record	This form contains information the Court requires in order to process payments, if needed, and must be submitted with the proposal
Attachment 3: Conflict of Interest Certification	On this form, the Proposer indicates that there is no interest that would constitute a conflict of interest under California Law
Attachment 4: Requirements	Phase 1 Functional and Technical Requirements Phase 2 Functional and Technical Requirements
Attachment 5: RFP Response Template	Proposers response to the RFP
Attachment 6: Appellate Courts Filing Counts for 2009-2011	Appellate Courts Filing Counts for 2009-2011

8.0 SUBMISSIONS OF PROPOSALS

8.1 Vendor Responses

Vendors should respond to each and every section of this RFP and all attachments and sub-exhibits. An RFP response template has been included (*Attachment 5*) for

standardization of responses. Proposals should provide straightforward, concise information that satisfies the requirements of the Section 9.0 Proposal Content below. 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.

8.2 Required Copies and Form of Submissions

The Proposer must submit:

- A. **One (1) original and 5 copies** (*Attachments 2, 3, 4 and 5*) of the 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. (make sure to include the cost recovery model and vendor's standard contract language as attachments)
- B. The Proposer must submit an electronic version of the entire proposal on CD-ROM. The files contained on the CD-ROM must be in PDF, Word, or Excel formats.

8.3 Delivery Address

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, RFP # ITSO-2013-01-DCA
455 Golden Gate Avenue
San Francisco, CA 94102-3688

8.4 Late Proposals

Will not be accepted.

8.5 Delivery of Proposals

Only written proposals will be accepted. Proposals must be sent by registered or certified mail, courier service (e.g., FedEx), or delivered by hand. Proposals may not be transmitted by fax or email.

9.0 PROPOSAL CONTENT

9.1 Information Required

The following information must be included in the proposal (*Attachments 2, 3, 4 and 5*)

- A. 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.
- B. Name, title, address, telephone number, and email address of the individual who will act as Proposer's designated representative for purposes of this RFP.

- C. Names, addresses, and telephone numbers of a minimum of 3 clients for whom the Proposer has provided similar goods. The Court may check references listed by Proposer.
- D. 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.
- E. Proposed approach and methodology employed to complete the work.
- F. Certifications, Attachments, and other requirements
 - i. Proposer must include the following certification in its proposal (*Attachment 3*). Proposer 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. Proposer must submit with its proposal, for itself and each of its affiliates that make sales for delivery into California, a copy of either (i) a California seller's permit issued under Revenue and Taxation Code section 6066 et seq. or (ii) a certificate of registration issued under Revenue and Taxation Code section 6226.
 - iii. If Proposer is a corporation, proof that Proposer is in good standing and qualified to conduct business in California.
 - iv. Copies of current business licenses, professional certifications, or other credentials.
 - v. Proof of financial solvency or stability (e.g., balance sheets and income statements).
 - vi. Submission of vendor's standard contract language (subject to negotiation).

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.

10.0 OFFER PERIOD

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

11.0 EVALUATION OF PROPOSALS

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

- Proposals that contain false or misleading statements may be rejected if, in the opinion of the Court/AOC, the information was intended to mislead the state regarding a requirement of the solicitation document.
- If a proposal fails to meet a material solicitation document requirement, the proposal may be rejected. A deviation is material to the extent that a response is not in substantial accord with solicitation document requirements. Material deviations cannot be waived. Immaterial deviations may also cause a proposal to be rejected.
- During the evaluation process, the Court/AOC may require a vendor's representative to answer questions with regard to the vendor's proposal. Failure of a vendor to respond and demonstrate in a timely manner that the claims made in its proposal are, in fact, true may be sufficient cause for deeming a proposal nonresponsive.
- A vendor is eligible for a total of 100 points for the written proposal.
- Written proposals will be evaluated by the Court/ AOC per the following selection criteria and weighting:

Category	Factors		Total Possible Points
Meeting Requirements	Degree to which the vendor's proposed solution meets the functional requirements and provides benefit to the court	Total Score	35
Implementation Services Proposal	Ability to manage and execute a successful implementation	Total Score	25
Cost Recovery Model	Reasonableness of the vendor's proposed funding/cost recovery model	Total Score	20

Category	Factors		Total Possible Points
Contract Terms	Reasonableness of proposed contract terms	Total Score	20
Grand Total Points			100

12.0 PRESENTATIONS (SOLUTIONS DEMONSTRATIONS AND INTERVIEWS)

The Court may interview Proposers to clarify aspects set forth in their proposals or to assist in finalizing the ranking of proposals. The interview process may require a demonstration. The interviews may be conducted in person or by phone. If conducted in person, interviews will likely be held at the Court’s offices. The Court will not reimburse Proposers for any costs incurred in traveling to or from the interview location. The Court or AOC will notify eligible Proposers regarding interview arrangements. The interview may include the AOC and other parties designated by the Court.

13.0 CONFIDENTIAL OR PROPRIETARY INFORMATION

One copy of each proposal will be retained by the Court 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 Court’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 Court finds or reasonably believes that the material so marked is **not** exempt from disclosure, the Court will disclose the information regardless of the marking or notation seeking confidential treatment.

The Proposer may be required to sign an AOC Non-Disclosure Agreement before the AOC or Court discloses any confidential information.

14.0 DISABLED VETERAN BUSINESS ENTERPRISE PARTICIPATION GOALS

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