

REQUEST FOR PROPOSALS

JUDICIAL COUNCIL OF CALIFORNIA

REGARDING:
CLOUD-BASED SOLUTION FOR AGENDA MANAGEMENT
AND WEBCASTING

PROPOSALS DUE:
March 19, 2018 NO LATER THAN *2:00* P.M. PACIFIC TIME

1.0 BACKGROUND INFORMATION

1.1. Background

The Judicial Council of California, hereinafter referred to as “JCC,” Judicial Council” or “the council”, chaired by the Chief Justice of California, is the primary 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 JCC’s staff assists both JCC and its chair in performing their duties for the purpose of this Request for Proposal (RFP).

In accordance with the Chief Justice’s Access 3D initiative and the California Rules of Court, Rule 10.75 (Meetings of Advisory Bodies), the Judicial Branch has adopted a more open and transparent approach to expanding public access, greater openness and transparency for the Judicial Branch. The proposed solution will assist with achieving this goal for Judicial Council meetings, as well as various advisory committee meetings, oral arguments and public hearings that are held across the state; varying in location, meeting size, and technical infrastructure.

2.0 DESCRIPTION OF GOODS AND SERVICES

2.1 Purpose

The Judicial Council of California (Judicial Council), on behalf of the Judicial Branch, seeks an entity with expertise in providing a cloud-based solution for agenda management and webcasting. The solution will enhance communications across the branch and extend greater access to the public through greater transparency and streamlined methods of information delivery. The solution will also address legislative mandates in support of California Rules of Court 10.75, meetings of advisory bodies.

2.2 Service Requirements

The Judicial Branch broadcasts live streaming audio and video at up to 8-12 locations concurrently and anticipates this number will increase in the future.

To meet the requirements identified in the table below vendors may propose a single product, a suite of products or a combination of products and/or services providing an integrated solution.

Business and Service Requirements	Must Have (M)/ Desirable (D)
1. Meeting Management to include the following: <ul style="list-style-type: none"> • Ability to display calendar of meetings and events. • Secure notice and posting of meeting documents and materials to the website (ensuring large files are accessible and downloadable) • Agenda building tools • Meeting minutes tools • Electronic publication of materials 	M
2. Ability to have electronic submittal of public comments.	M
3. Ability to track voting on agenda items.	M
4. Enable the public to remotely listen and view public meetings (teleconference and audio cast over web).	M
5. ADA compliant	M
6. Access to two audio channels during streaming.	D
7. Ability to have on-demand, archived audio and video of meetings available.	M
8. Include local recording back up of audio and video. Recording should retain integrity during internet outages.	M
9. Ability to timestamp video and edit timestamp data.	M
10. Ability to trim videos.	M
11. Ability to turn on/off [pause] the recording and transcription of meeting to ensure that closed session portions of meetings are NOT recorded.	M
12. Ability to integrate with current live captioning solutions (VITAC).	M
13. Ability to be compatible with current technology standards and ensure effective accessibility of materials remotely for public, staff, and committee.	
a. Cross-browser compatibility including mobile browsers.	M
b. Video resolution must be 720p or higher.	M
c. Video resolution must be scalable for the end user.	M
d. Ability to download audio/video in a standard format (MP3, MP4, H.264).	M
e. Encoder that uses current generation operating system maintained with necessary updates.	M
f. Linux-based encoder	D
g. Virtual Encoder (compatible with VMware and/or Hyper-V)	D
14. Content migration from existing provider to selected provider. This includes migrating agenda, schedules, meeting materials and video.	M
15. Provide access to meetings for staff within the network, separate from the public, without impacting internet bandwidth.	M
16. Portable audio and video encoder for use at remote venues.	D
17. Set permission restrictions for users in specific groups (Role-Based Access Control).	D
18. Ability to customize elements within website and meeting management.	D
19. Need opt-in mechanisms (i.e., RSS feeds).	D

RFP Title: Cloud-Based Solution for Agenda Management and Webcasting
RFP Number: LSD-2017-36-RB

Business and Service Requirements	Must Have (M)/ Desirable (D)
20. Highly responsive customer/technical support, including a formal performance based service level agreement that defines standards for service delivery, including but not limited to backup and incident management. Customer services hours should extend past normal business hours.	M

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.

1	Judicial Council, on behalf of the Judicial Branch, issues RFP	2/7/2018
2	Deadline for Proposer to register for Proposers' Conference; submit requests to the Solicitations Mailbox (3:00 p.m. PDT)	2/14/2018
3	Proposers' Teleconference (1:00 p.m. – 2:30 p.m. PDT) Conference line: 1-877-820-7831 Participant passcode: 710316	2/20/2018
4	Deadline for Proposers to submit questions, requests for clarifications, or modifications to the Solicitations Mailbox (3:00 p.m. PDT)	2/26/2018
5	Post-Proposer Teleconference questions and answers posted and addenda issued, if required	3/5/2018
6	Mandatory proposal due date and time (2:00 p.m. PDT)	3/19/2018
7	Request for finalist presentation / demonstrations (if needed)	4/02/2018
8	Finalists' presentations (solution demonstrations and interviews)	4/09/2018– 4/13/2018
9	Notice of Intent to Award (estimated date)	4/16/2018
10	Execution of Agreement (estimated date)	5/01/2018
11	Anticipated Standard Agreement term (3 years)	5/01/2018– 4/30/2021
12	Anticipated Standard Agreement optional term extensions (two 1-year extensions)	5/01/2021– 4/30/2023

4.0 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: Judicial Council Standard Terms and Conditions	<p>If selected, the person or entity submitting a proposal (the “vendor”) must sign a Judicial Council Standard Form Agreement containing terms and conditions substantially in the form of these terms and conditions (the “Terms and Conditions”). If exceptions are identified or additional provisions proposed, the Proposer must also submit a redlined version of the Terms and Conditions that clearly identifies the benefit to the Judicial Branch from the proposed changes and provides a written explanation or rationale for each proposed change. The following provisions within the Terms and Conditions are non-negotiable provisions (“Mandatory Terms”):</p> <ul style="list-style-type: none"> Qualification in California Nondiscrimination Domestic partners, spouses, gender, gender identity National Labor Relations Board Expatriate Corporations Sweatshop Labor Child Support Compliance Act Iran Contracting Act Termination Due to Nonavailability of Funds Loss Leader Antitrust Claims Recycled products/post-consumer material Priority Hiring DVBE Commitment Small Business Preference Commitment Union activities State Auditor Audit Provision <p>A material exception to a Mandatory Term will render a proposal non-responsive.</p>

ATTACHMENT	DESCRIPTION
Attachment 3: Bidder'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. A material exception to a Mandatory Term will render a proposal non-responsive.
Attachment 4: Payee Data Record Form	This form contains information the Superior Courts require to process payments and must be submitted with the proposal.
Attachment 5: General Certifications Form	The Proposer must complete the General Certifications Form and submit the completed form with its proposal.
Attachment 6: Unruh Civil Rights Act and California Fair Employment and Housing Act Certification	Proposer must complete and submit the Unruh Civil Rights Act and California Fair Employment and Housing Act Certification.
Attachment 7: Small Business Declaration	Proposer must complete this form only if it wishes to claim the small business preference associated with this solicitation.
Attachment 8: Bidder DVBE Declaration	Proposer must complete this form only if it wishes to claim the disabled veteran business enterprise (DVBE) incentive associated with this solicitation.
Attachment 9: Bidder Declaration	Each DVBE that will provide goods and/or services in connection with the contract must complete this form. If Proposer is itself a DVBE, it must also complete and sign the DVBE Declaration.

5.0 PAYMENT INFORMATION

Please refer to Appendix B of Attachment 2.

6.0 PRE-PROPOSAL CONFERENCE

The Judicial Council will hold a pre-proposal conference on the date identified in the timeline above. The pre-proposal conference will be held telephonically.

Attendance at the pre-proposal conference is optional. Proposers are strongly encouraged to attend.

7.0 SUBMISSIONS OF PROPOSALS

7.1 Proposals should provide straightforward, concise information that satisfies the requirements of the “Proposal Contents” section 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.

7.2 The Proposer **must** submit its proposal in two parts, the non-cost portion and the cost portion.

Non-Cost Portion of the Proposal: The Proposer must submit two (2) original hard copies and an electronic version on a USB memory stick/flash drive of the non-cost portion of the proposal. The electronic files must be in searchable PDF, Word, or Excel formats. The original must be signed by an authorized representative of the Proposer. The non-cost portion of the proposal must be submitted to the Judicial Council **in a single sealed envelope, separate from the cost portion.** The Proposer must write the RFP title and number on the outside of the sealed envelope.

Cost Portion of the Proposal: The Proposer must submit two (2) original hard copies and an electronic version on a USB memory stick/flash drive of the cost portion of the proposal. The electronic files must be in searchable PDF, Word, or Excel formats. The original must be signed by an authorized representative of the Proposer. The cost portion of the proposal must be submitted to the Judicial Council in a **single sealed envelope, separate from the non-cost portion.** The Proposer must write the RFP title and number on the outside of the sealed envelope.

7.3 Proposals must be delivered by the date and time listed on the coversheet of this RFP to:

Lenore Fraga- Roberts - Bid Desk
Branch Accounting and Procurement | Administrative Division
Judicial Council of California
455 Golden Gate Avenue, San Francisco, CA 94102-3688

www.courts.ca.gov

RFP#: LSD-2017-36-RB

7.4 Late proposals will not be accepted.

7.5 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.

8.0 PROPOSAL CONTENTS

8.1 Non-Cost Portion. The following information must be included in the non-cost portion of the 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 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 the Proposer's designated representative for purposes of this RFP.
- c. Model number(s), specifications, or other description of the goods the Proposer proposes to supply to the Judicial Council, including warranty information.
- d. Names, addresses, and telephone numbers of a minimum of three (3) clients for whom the Proposer has provided similar goods. The Judicial Council may check references listed by the Proposer.
- e. 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.
- f. Names, addresses, and telephone numbers of a minimum of three (3) clients for whom the Proposer has conducted similar services. The Judicial Council may check references listed by the Proposer.
- g. Proposed method to complete the work.
 - i. Outline the implementation and deployment approach of the business requirements referenced in Section 2.2.
 - ii. Identify high level vendor and JCC responsibilities in the implementation of the business requirements.
 - iii. Provide an escalation plan for handling significant or time-sensitive issues.
- h. Certifications, Attachments, and other requirements.

- i. **Proof of Good Standing:** If Proposer is a corporation, the Proposer must present proof that it is in good standing and qualified to conduct business in California.
- ii. **Business License:** Proposer must provide copies of current business licenses.
- iii. **Proof of Solvency:** Proposer must provide proof of financial solvency or stability (e.g., balance sheets and income statements)
- iv. **Acceptance of Terms and Conditions:** Proposer must complete and provide the Bidder's Acceptance of Terms and Conditions (Attachment 3). On Attachment 3, the Proposer must indicate acceptance of the Terms and Conditions or identify exceptions to the Terms and Conditions. An "exception" includes any addition, deletion, qualification, limitation, or other change. A material exception to a Mandatory Term will render a proposal non-responsive. If exceptions are identified or additional provisions proposed, the Proposer must also submit a redlined version of the Terms and Conditions that clearly tracks proposed changes and a written explanation or rationale of the benefit to the Judicial Council and the Superior Courts resulting from the proposed exception.
- v. **Payee Data Record:** Proposer must complete and provide the Payee Data Record Form (Attachment 4).
- vi. **General Certifications:** Proposer must complete and provide the General Certifications Form (Attachment 5).
- vii. **Unruh Civil Rights Act and California Fair Employment and Housing Act Certification:** Proposer must complete and provide the Unruh Civil Rights Act and California Fair Employment and Housing Act Certification (Attachment 7).
- viii. **Small Business Declaration:** Proposer must complete and provide the Small Business Declaration (Attachment 9) only if it wishes to claim the small business preference associated with this solicitation.
- ix. **Bidder DVBE Declaration:** Proposer must complete and provide the Bidder DVBE Declaration (Attachment 10) only if it wishes to claim the DVBE incentive associated with this solicitation.
- x. **Bidder Declaration:** Proposer must submit a Bidder Declaration (Attachment 11) for each DVBE that will provide goods and/or services in connection with the contract. If Proposer itself is a DVBE, it must also complete and sign the Bidder DVBE Declaration.

8.2 Cost Portion. The following information must be included in the cost portion of the proposal. Include costs associated with the initial contract terms and optional extension terms.

IT Goods/Hardware:

- i. The cost per unit for the goods/hardware described in the non-cost information.

IT Services:

- i. A detailed line item budget showing total cost of the proposed services, including costs associated with the following:
 - a. Licensing
 - b. Hosting
 - c. Maintenance and Support
 - d. Professional Services
- 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.

9.0 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 Judicial Council reserves the right to negotiate extensions to this period.

10.0 EVALUATION OF PROPOSALS

The cost portion of proposals will be publicly opened at the date and time noted in Section 3.0 at the 3rd floor, Judicial Council of California
455 Golden Gate Avenue, San Francisco, CA 94102-3688

The Judicial Council 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 Judicial Council will post an intent to award notice on April 30, 2018.

Category	Factors	Total Possible Points
Cost Structure	Overall cost and the structure of cost calculations.	50
Organization Information and Qualifications	Level of Proposer organization experience, financial stability, and qualifications.	10
Requirements Response	Degree to which the Proposer's proposed solution meets and is likely to deliver the requirements set forth in Section 2.2 and Section 8.1.g.	25
Acceptance of Terms and Conditions	Level of Proposer's acceptance of Terms and Conditions.	12
DVBE Incentive	DVBE incentive points.	3

11.0 INTERVIEWS

The Judicial Council 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 interview process may require a demonstration. The interview may also 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 Judicial Council's offices. The Judicial Council will not reimburse Proposers for any costs incurred in traveling to or from the interview location. The Judicial Council will notify eligible Proposers regarding interview arrangements.

12.0 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 Judicial Council 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 Judicial Council's right to disclose information in the proposal, or (b) requiring the Judicial Council 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.

13.0 DISABLED VETERAN BUSINESS ENTERPRISE INCENTIVE

Please refer to Attachments 10 and 11.

14.0 SMALL BUSINESS PREFERENCE

Small business participation is not mandatory. Failure to qualify for the small business preference will not render a proposal non-responsive.

Eligibility for and application of the small business preference is governed by the Judicial Council's Small Business Preference Procedures for the Procurement of Information Technology Goods and Services. The Proposer will receive a small business preference if, in the Judicial Council's sole determination, the Proposer has met all applicable requirements. If the Proposer receives the small business preference, the score assigned to its proposal will be increased by an amount equal to 5% of the points assigned to the highest scored proposal. If a DVBE incentive is also offered in connection with this solicitation, additional rules regarding the interaction between the small business preference and the DVBE incentive apply.

To receive the small business preference, the Proposer must be either (i) a Department of General Services ("DGS") certified small business or microbusiness performing a commercially useful function, or (ii) a DGS-certified small business nonprofit veteran service agency.

If the Proposer wishes to seek the small business preference, the Proposer must complete and submit with its proposal the Small Business Declaration (Attachment 5). The Proposer must submit with the Small Business Declaration all materials required in the Small Business Declaration.

Failure to complete and submit the Small Business Declaration as required will result in the Proposer not receiving the small business preference. In addition, the Judicial Council may request additional written clarifying information. Failure to provide this information as requested will result in the Proposer not receiving the small business preference.

If the Proposer receives the small business preference, (i) the Proposer will be required to complete a post-contract report; and (ii) failure to meet the small business commitment set forth in its proposal will constitute a breach of contract.

FRAUDULENT MISREPRETATION IN CONNECTION WITH THE SMALL BUSINESS PREFERNCE IS UNLAWFUL AND IS PUNISHABLE BY CIVIL PENALTIES. SEE GOVERNMENT CODE SECTION 14842.5.

15.0 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 the Bid Closing date. (JBCM, Ch. 7, p.4).

The deadline for an award protest (which is the protest of the notice of intent to award) on the other hand should be 5 court days after posting of the Notice of Intent to Award.

Protests must be sent to:

Lenore Fraga- Roberts - Bid Desk
solicitations@jud.ca.gov
Branch Accounting and Procurement | Administrative Division
Judicial Council of California
455 Golden Gate Avenue, San Francisco, CA 94102-3688
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