



*[Revised with Addendum 03]*

# REQUEST FOR PROPOSALS

---

**JUDICIAL COUNCIL OF CALIFORNIA**

**Regarding:**

*UPGRADE, IMPLEMENTATION, DATA  
MIGRATION, AND ONGOING SUPPORT SERVICES  
FOR FACILITIES SERVICES' TRIRIGA  
INTEGRATED WORKPLACE MANAGEMENT  
SYSTEM (IWMS)*

**RFP NUMBER: RFP-FS-2021-15-AL**

**PROPOSALS DUE:**

*October 5, 2021* NO LATER THAN *5:00* PM PACIFIC TIME (PT)

## Table of Contents

1.0	INTRODUCTION AND PURPOSE OF RFP.....	2
2.0	DESCRIPTION OF GOODS AND/OR SERVICES. ....	4
3.0	TIMELINE FOR THIS RFP .....	5
4.0	RFP ATTACHMENTS AND EXHIBITS.....	7
5.0	PROPOSER’S QUESTIONS.....	8
6.0	PAYMENT INFORMATION .....	9
7.0	SUBMISSIONS OF PROPOSALS .....	9
8.0	PROPOSAL CONTENTS .....	10
9.0	OFFER PERIOD.....	13
10.0	EVALUATION OF PROPOSALS.....	13
11.0	PROPOSER PRESENTATIONS .....	14
12.0	CONFIDENTIAL OR PROPRIETARY INFORMATION .....	14
13.0	DISABLED VETERAN BUSINESS ENTERPRISE (“DVBE”) INCENTIVE.....	15
14.0	SMALL BUSINESS PREFERENCE .....	16
15.0	PROTESTS.....	17

## 1.0 INTRODUCTION AND PURPOSE OF RFP

1.1 The Judicial Council of California (“Judicial Council” or “Council”) Facilities Services Office (FSO) and Information Technology Services Office (ITSO) invite all interested and experienced TRIRIGA systems integrators (hereafter, referred to as “Vendor,” “Proposer,” or “Contractor”) to submit proposals to:

- a) Upgrade the Council’s existing on-premises TRIRIGA 10 Integrated Workplace Management System (IWMS) to the newer version used in the IBM SaaS Cloud offering;
- b) Implement Council business and technical requirements. Council requirements consist of:
  - a. Existing functionality in the current TRIRIGA system that will be replicated in the new system,
  - b. Existing functionality in the current TRIRIGA system that will be enhanced in the new system and
  - c. New additional functionality (not implemented in the current TRIRIGA system);
- c) Perform data migration from the existing TRIRIGA system;
- d) Migrate data from nine (9) FileMaker Pro databases, one (1) eVision Access database, and one (1) VFA Facility capital forecasting database;
- e) Provide development and configuration for the Council’s implementation of the IBM TRIRIGA SaaS system (hereafter referred to as CAFM 2.0 or IWMS)
- f) At the Council’s discretion, perform migration from Oracle’s WebLogic to IBM’s WebSphere, and from Oracle Database to IBM’s DB2 database (this option may not be executed and is dependent on SaaS licensing procurement timelines; proposers shall include this scope of work in their response); and
- g) Post go-live, provide Professional Services for ongoing Maintenance and Operations Support activities outlined in Exhibit 1c: Managed Services Requirements. For purposes of this RFP, “Judicial Branch” means the Judicial Council, any California superior or appellate court including the Supreme Court of California, and the Habeas Corpus Resource Center.

The Judicial Council, chaired by the Chief Justice of California, is the chief administrative and policy making agency of the California judicial system. The FSO is responsible for managing Judicial Branch’s real estate portfolio. The FSO manages ongoing operational needs for over four hundred and seventy-five (475)

Judicial Branch facilities, as well as site selection and acquisition for new capital projects. The Judicial Council Information Technology (JCIT) office manages and maintains a portfolio of programs and services for the branch. The mission of Information Technology is to empower access to justice through technology. From case management to e-filing, from infrastructure support to network security, from business applications and operations to data integration, Information Technology stands at the intersection of strategy and innovation.

The primary goal of this RFP is to obtain vendor proposals that meet the Council's upgrade, implementation, data migration, ongoing support, and WebSphere and DB2 migration. During the RFP process, Proposers may be invited to participate in an information exchange with Judicial Council staff, be granted short term access to the current Computer Aided Facilities Management system to better assess the existing data and functionality, and to present their proposal and project team.

## 1.2 Background Information.

The Judicial Branch's current TRIRIGA system is referred to as "CAFM," a Computer Aided Facilities Management application that manages the maintenance, real estate, facility modification, quality compliance, invoice validation, and risk management workload for the Judicial Branch's portfolio of facilities. The first implementation of CAFM occurred in 2004–2005 utilizing the TRIRIGA 8.4 software product. A re-implementation of CAFM took place substantially between 2008–2011 using TRIRIGA 9 to support organizational processes that had evolved since 2004–2005. In 2013, a systems integrator performed an upgrade from TRIRIGA 9 to TRIRIGA 10; there was minimal change in functionality. From 2014–2021, significant new functionality was implemented by Council FS and IT staff (and contractors) to support the Facility Operations, Project Management, Quality Compliance, Fiscal Support, and Risk business units. To date, the Council has extensively configured and enhanced the original CAFM system to meet its business needs.

There are currently approximately 900 CAFM registered users. The registered users include the Council, other Judicial Branch entities, and service providers that are authorized to use CAFM by or on behalf of the Council or another member of the Judicial Branch.

In addition to the TRIRIGA system, the Council currently uses Excel spreadsheets, FileMaker Pro databases, Access databases, and separate software systems (VFA and Dude Solutions) in conjunction with CAFM to meet its business needs. The Council seeks a solution that will minimize redundancy by consolidating functionality into a single system for its Facility Operations, Real Estate, Project Management, Customer Support Center, Risk, Quality Compliance & Assurance, Fiscal Support, Sustainability, and Planning Units.

## 2.0 DESCRIPTION OF GOODS AND/OR SERVICES.

2.1 The Judicial Council is requesting proposals from qualified Vendors to provide TRIRIGA upgrade, implementation, data migration, and ongoing support services. As an option, the Council is requesting that the proposal include migration from Oracle's WebLogic to IBM's WebSphere, and migration from Oracle's 19c database to IBM's DB2 database. The Council's requirements are defined in the Business and Technical Requirements spreadsheet (Exhibit 1). As an outcome of this RFP, the Judicial Council intends to award one (1) Master Agreement to a Proposer that is able to provide the following services:

- a) Upgrade the existing on-premises TRIRIGA 10 system to the IBM SaaS Cloud offering;
- b) Implement Council business and technical requirements. Council requirements consist of existing requirements identified in the current TRIRIGA system and additional future functionality;
- c) Perform data migration from the existing TRIRIGA system. Also migrate data from 9 FileMaker Pro databases, an Access database, and a VFA database;
- d) Provide ongoing support for a TRIRIGA SaaS system for use by the Judicial Branch Entities. The ongoing support (after postproduction support) is for an initial contract term of five (5) years, with the Council's sole option to extend for an additional three (3) years following expiration of the initial five-year term ("First Option") and an additional two (2) years ("Second Option") following expiration of the First Option for a maximum total contract term of ten (10) years for ongoing support; and
- e) At the Council's discretion, perform migration from Oracle's WebLogic to IBM's WebSphere, and from Oracle's 19c database to IBM's DB2 database. This option may not be executed and is dependent on SaaS licensing procurement timelines. Proposers should include this scope of work in their response.

### 2.2 Due Diligence.

- a) Prospective bidders intending to bid (see Section 7.1 of this RFP) will have the opportunity to request read-only access to the current CAFM system to perform a review of the current CAFM components ("Due Diligence") for two weeks from [DATE] to [DATE] (the "Due Diligence Period"). The CAFM system, its configuration, and data accessed during the bidder's review and Due Diligence will be used solely to more accurately scope and identify items or issues in CAFM that would prevent or otherwise negatively affect the completion and/or implementation of the requested CAFM upgrade.
- b) A prospective bidder's request for access to perform Due Diligence during the Due Diligence Period will be reviewed by Judicial Council staff to

determine, in the Council's sole discretion, whether the requested access is necessary and appropriate. If the Council determines the requested information and/or access is necessary and appropriate for Bidder's use in the Due Diligence Period, such information and/or access will be provided to the Bidder.

- c) After submitting the appropriate documentation and access request under Section 7.1 of this RFP, the Council requires that each prospective bidder intending to bid and perform the Due Diligence shall promptly execute a nondisclosure and system access agreement [REDACTED] days [INSERT NUMBER OF DAYS] prior to the start of the Due Diligence Period. Failure to promptly execute the nondisclosure and system access agreement may reduce the number of days that a bidder will have access to the CAFM system, and in that event, additional days of access will not be granted. The Judicial Council shall have no liability for any claim whatsoever arising from a bidder's failure to perform or decision to not perform Due Diligence according to the terms of this RFP.
- d) As further detailed in Section 12.0 of this RFP, proposals received from prospective bidders are subject to public disclosure requirements under applicable provisions of the Public Contracting Code and the California Rules of Court. Accordingly, a prospective bidder shall not include in its Proposal any confidential, proprietary, or privileged information, including any Judicial Council confidential information accessed from the CAFM system, during the Due Diligence Period.

### **3.0 TIMELINE FOR THIS RFP**

The table below lists the key events related to this RFP. All dates are subject to change at the discretion of the Judicial Council.

KEY EVENTS	DATE / TIME
RFP issued	August 23, 2021
<p>Pre-proposal meeting and CAFM demonstration (<i>optional</i>) via video conference using MS Teams  Meeting link: <a href="#">IWMS CAFM conference demo</a>  or  <a href="https://gcc02.safelinks.protection.outlook.com/ap/t-59584e83/?url=https%3A%2F%2Fteams.microsoft.com%2F1%2Fmeetup-join%2F19%253ameeting_MTVhOTdhZGMtYzg4Ny00OGVILWl4NjYtYTBhZWZlMzFhM2Yz%2540thread.v2%2F0%3Fcontent%3D%257b%2522Tid%2522%253a%252210cfa08a-5b17-4e8f-a245-139062e839dc%2522%252c%2522Oid%2522%253a%25229ca5da34-c7a1-4e6b-8b5e-cc658bbc323f%2522%257d&amp;data=04%7C01%7CRajat.Maharaj%40jud.ca.gov%7C54c4b8fd763045e0ce3608d96418b53b%7C10cfa08a5b174e8fa245139062e839dc%7C0%7C0%7C637650879553571215%7CUnknown%7CTWFpbGZsb3d8eyJWljojMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6IjEhaWwiLCJXVCi6Mn0%3D%7C1000&amp;sdata=4%2B%2FTo98stadGMvzRqn3RapAI9x5PiMyg9VmNn%2BIqDUY%3D&amp;reserved=0">https://gcc02.safelinks.protection.outlook.com/ap/t-59584e83/?url=https%3A%2F%2Fteams.microsoft.com%2F1%2Fmeetup-join%2F19%253ameeting_MTVhOTdhZGMtYzg4Ny00OGVILWl4NjYtYTBhZWZlMzFhM2Yz%2540thread.v2%2F0%3Fcontent%3D%257b%2522Tid%2522%253a%252210cfa08a-5b17-4e8f-a245-139062e839dc%2522%252c%2522Oid%2522%253a%25229ca5da34-c7a1-4e6b-8b5e-cc658bbc323f%2522%257d&amp;data=04%7C01%7CRajat.Maharaj%40jud.ca.gov%7C54c4b8fd763045e0ce3608d96418b53b%7C10cfa08a5b174e8fa245139062e839dc%7C0%7C0%7C637650879553571215%7CUnknown%7CTWFpbGZsb3d8eyJWljojMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6IjEhaWwiLCJXVCi6Mn0%3D%7C1000&amp;sdata=4%2B%2FTo98stadGMvzRqn3RapAI9x5PiMyg9VmNn%2BIqDUY%3D&amp;reserved=0</a>  Host/Moderator – Rajat Maharaj</p>	August 26, 2021, at 9:00 AM (PT)
Letter of Intent to Bid due. Submit by email to <a href="mailto:Solicitations@jud.ca.gov">Solicitations@jud.ca.gov</a>	September 2, 2021, by 5:00 PM (PT)
Deadline for questions due. Submit by email to <a href="mailto:Solicitations@jud.ca.gov">Solicitations@jud.ca.gov</a>	September 7, 2021, by 12:00 PM (PT)
Questions and answers posted ( <i>estimate only</i> )	September 16, 2021
Latest date and time proposal may be submitted	October 5, 2021, by 5:00 PM (PT)
Anticipated Vendor Presentation & Meet the Project Team dates (see Section 11 for details) ( <i>estimate only</i> )	October 12 – October 14, 2021
Public opening of cost portion of proposals (Notice of time and location will be posted at <a href="http://www.courts.ca.gov/rfps.htm">www.courts.ca.gov/rfps.htm</a> ) ( <i>estimate only</i> )	October 18, 2021
Evaluation of Cost Portion ( <i>estimate only</i> )	October 21, 2021
Notice of Intent to Award ( <i>estimate only</i> )	October 27, 2021
Deadline to Submit Award Protest (Council must receive award protest within 5 days of Notice of Intent to Award) ( <i>estimate only</i> )	November 4, 2021
Contract Negotiations ( <i>estimate only</i> )	November 5 – December 22, 2021
Contract start date ( <i>estimate only</i> )	January 4, 2022
Contract end date (initial terms) ( <i>estimate only</i> )	

#### 4.0 RFP ATTACHMENTS AND EXHIBITS

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. Proposers shall follow the rules, set forth in Attachment 1, in preparation of their proposals. This attachment is for the Proposer's reference only and <b>does not need to be submitted</b> with the RFP response.
Attachment 2: Judicial Council's Master Agreement	If selected as the winning bidder, the Proposer must sign the Council's Master Agreement (the " <b>Master Agreement</b> "). This attachment is for the Proposer's reference only and <b>does not need to be submitted</b> with the RFP response.
Attachment 3: Proposer's Acceptance of the Master Agreement	On this form, the Proposer must indicate acceptance of the Master Agreement or identify exceptions to the Master Agreement. If exceptions are identified, then Proposer must also submit (i) a red-lined version of Attachment 2 that clearly tracks proposed changes to the attachment; and (ii) written documentation to substantiate each such proposed change and why such change would be beneficial to the Council.
Attachment 4: General Certifications Form	The Proposer must complete the General Certifications Form and submit the completed form with its proposal.
Attachment 5: Small Business Declaration	The Proposer must complete this form only if it wishes to claim the small business preference associated with this solicitation.
Attachment 6A: Payee Data Record Form (STD 204)	This form contains information the Judicial Council requires in order to process payments and must be submitted with the proposal.
Attachment 6B: Payee Data Record Supplement (STD 205)	This form is optional and is used to provide remittance address information if different than the mailing address on the Payee Data Record, for multiple remittance addresses, and additional Authorized Representatives of the Payee not identified on the STD 204.
Attachment 7: Iran Contracting Act Certification	The Proposer must complete this form and include it in the cost portion of the proposal <b>ONLY</b> if the proposal cost is over \$1,000,000 (one million).
Attachment 8: Unruh and FEHA Certification	The Proposer must complete the Unruh Civil Rights Act and California Fair Employment and Housing Act Certification and include this form in the non-cost proposal
Attachment 9: DARFUR Contracting Certification	The Proposer must complete and return this form with the non-cost proposal.
Attachment 10: Proposer Submission Questions Form	The Proposer must submit any questions regarding the RFP in this format.
Attachment 11: Letter of Intent to Bid	Contractors interested in submitting a proposal must submit the Letter of Intent by email to <a href="mailto:Solicitations@jud.ca.gov">Solicitations@jud.ca.gov</a> . Proposers must submit this for additional access to the Council's current CAFM 1.0 staging implementation.
Attachment 12: Qualifications Reference Sheet	The Proposer must submit this form, including any required documentation, in the non-cost portion of its proposal.
Attachment 13: Bidder Declaration	The Proposer must complete this form only if it wishes to claim the disabled veteran business enterprise (DVBE) incentive associated with this solicitation.
Attachment 14: DVBE 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.



The following Exhibits are included as part of this RFP:

EXHIBITS	DESCRIPTION
Exhibit 1: Statement of Work	The Proposer must submit the completed Statement of Work response with its non-cost proposal.
Exhibit 1a: Business and Technical Requirements	The Proposer must submit the complete Business and Technical Requirements response form (in the provided .xlsx format) with its non-cost proposal.
Exhibit 1b: Council Reports Requirements	Contains details on the Council's Report Requirements response form (in the provided .xlsx format) with its non-cost proposal.
Exhibit 1c: Managed Services Requirements	The Proposer must submit the complete Managed Services Requirements response form (in the provided .xlsx format) with its non-cost proposal.
Exhibit 2: Council Staffing Plan	The Council staffing commitment to be planned for by the Bidder.
Exhibit 3: Cost Workbook	The Proposer must fill out the various tabs in the Cost Workbook and submit with the cost portion of the proposal.
Exhibit 4: Proposer Response Template	The Proposer must submit the completed Proposer Response Template with its non-cost proposal.
Exhibit 5: TRIRIGA Data	Additional details on the TRIRIGA data to migrate.
Exhibit 6: VFA Facility Data	Additional details on the VFA Facility data to migrate.
Exhibit 7: FileMaker Pro Database Alert Casts & Members	Additional details on the Alert Casts & Members FileMaker Pro database to migrate.
Exhibit 8: FileMaker Pro Database Customer ID	Additional details on the Customer ID FileMaker Pro database to migrate.
Exhibit 9: FileMaker Pro Database Fleet File	Additional details on the Fleet FileMaker Pro database to migrate.
Exhibit 10: FileMaker Pro Database Lease Pieces of FAC Track File	Additional details on the Lease Pieces of FAC Track FileMaker Pro database to migrate.
Exhibit 11: FileMaker Pro Database Operation Phones File	Additional details on the Operation Phones FileMaker Pro database to migrate.
Exhibit 12: FileMaker Pro Database Parking	Additional details on the Parking FileMaker Pro database to migrate.
Exhibit 13: FileMaker Pro Database Utility Track	Additional details on the Utility Track FileMaker Pro database to migrate.
Exhibit 14: FileMaker Pro Database Admin Shared Costs File	Additional details on the Admin Shared Costs FileMaker Pro database to migrate.
Exhibit 15: Access Database eVision	Additional details on the eVision Access database to migrate.

## 5.0 PROPOSER'S QUESTIONS

- 5.1 Proposer questions regarding this RFP must be documented in the Proposer Submission Questions Form (Attachment 10) and sent to the Judicial Council Solicitations by email to [Solicitations@jud.ca.gov](mailto:Solicitations@jud.ca.gov) by the date and time listed in Section 3.0 of this RFP.

- 5.2 Proposer must indicate the document title, section, and page number to which each of Proposer's questions refer. All questions and answers will be posted on the California Courts website at [www.courts.ca.gov](http://www.courts.ca.gov) on the date indicated in Section 3.0.
- 5.3 If Proposer believes that (a) Proposer's question relates to Proposer's confidential information and (b) disclosing such question would expose Proposer's confidential information to its competitors, Proposer may submit the question in writing, clearly marking it as "Confidential." Accompanying the question must be a statement explaining why the question is confidential. If the Judicial Council determines that the disclosure of the question or answer would expose confidential information, the question will be answered, and both the question and answer will be kept in confidence. Any material that a Proposer considers confidential but that does not meet the disclosure exemption requirements of the California Public Records Act should not be included in the Proposer's Proposal, as it may be made available to the public. If the Judicial Council determines that a question is of a confidential nature, then a question may not be answered, and the Proposer will be notified of the decision.

## **6.0 PAYMENT INFORMATION**

- 6.1 Payments shall be made in accordance with the Master Agreement.
- 6.2 The Council shall retain at least 10% of the total cost of milestone payments for professional services, payable upon final acceptance and go-live.

## **7.0 SUBMISSIONS OF PROPOSALS**

There are two (2) separate submissions for this RFP that include (1) the Letter of Intent to Bid and (2) the Proposal.

- 7.1 Letter of Intent to Bid. Contractors interested in submitting a proposal should submit a nonbinding intent to bid and identify one (1) contact person by submitting Attachment 11, Letter of Intent to Bid, by the date and time specified in Section 3.0 of this RFP. Contractors should submit the Letter of Intent by email to [Solicitations@jud.ca.gov](mailto:Solicitations@jud.ca.gov). Include the RFP number and "Intent to Bid" in the subject line of the email.

There is to be only one (1) point of contact for each Proposer during the process. Information related to a Proposer will only be given to the designated contact person. Note, however, that interested parties must check the Judicial Council's website for subsequent notices and announcements; the Judicial Council will not address individual parties directly during this RFP.

- 7.2 Proposal. Proposer should respond to every section of this RFP, all attachments, and exhibits. An RFP Proposer Response template has been included for standardization of the responses (Exhibit 4). Proposers 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.

7.2.1 Due to the current COVID-19 crisis, the Judicial Council will temporarily accept proposals in an electronic format. See Section 7.2.2 below for instructions on submitting proposals electronically. The Proposer must still submit its proposal in two parts, the non-cost (technical) portion and the cost portion.

- a. **Non-Cost Portion of the Proposal:** The Proposer must submit one (1) electronic file of the non-cost portion of the proposal. The non-cost proposal 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 an electronic file, separate from the cost portion. The Proposer must include the RFP number and “NON-COST-PROPOSAL” in the name of the electronic file. Bidders must not include any pricing information at all in their Non-Cost Proposal.
- b. **Cost Portion of the Proposal:** The Proposer must submit one (1) electronic file of the cost portion of the proposal. The cost portion must be signed by an authorized representative of the Proposer. The cost portion of the proposal must be submitted to the Judicial Council in an electronic file, separate from the non-cost portion. The Proposer must include the RFP number and “COST-PROPOSAL” in the name of the electronic file.
- c. Please use the following naming convention for the electronic files:

*Proposer Name\_Non-Cost-Proposal\_RFP-FS-2021-15-AL*  
*Proposer Name\_Cost-Proposal\_RFP-FS-2021-15-AL*

7.2.2 Only electronic proposals will be accepted. For electronic submission of proposals, email your proposal no more than three (3) days in advance of the proposal due date to the following email addresses:

Email non-cost (technical) proposal to:  
[fs202115al.noncost@jud.ca.gov](mailto:fs202115al.noncost@jud.ca.gov)

Email cost proposal to: [fs202115al.cost@jud.ca.gov](mailto:fs202115al.cost@jud.ca.gov)

7.2.3 Late proposals will not be accepted.

## 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 must provide proof, using the Qualifications Reference Sheet (Attachment 12) that it meet the minimum qualifications, listed below, before the proposal can be considered for further evaluation:
  - i. The Proposer must submit with its proposal, for itself and each of its affiliates that make sales for delivery into California, a copy of either (a) a California seller's permit issued under Revenue and Taxation Code section 6066 et seq. or (b) a certificate of registration issued under Revenue and Taxation Code section 6226.
  - ii. The Proposer shall have been in business for five (5) years or longer.
- b) Proposer Information: Company name, address, telephone and fax numbers, and federal tax identification number.
- c) Representative Name: 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.
- d) Company Overview and Financial Information: Provide evidence of the financial solvency or stability of your organization (e.g., audited balance sheets and Annual Income Statements from the last 3 years).
- e) Executive Summary. **NOTE:** Along with the above, provide evidence of the financial solvency or stability of your organization (e.g., audited balance sheets and Annual Income Statements from the last 3 years).
- f) Experience and Qualifications.
- g) Response to Requirements.
- h) Acceptance of the Master Agreement.
  - 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 (a) a red-lined version of the Master Agreement that implements all proposed changes, and (b) a written explanation or rationale for each exception and/or proposed change.
- i) Certifications, Attachments, and Other Requirements.
  - i. The Proposer must submit with its proposal, for itself and each of its affiliates that make sales for delivery into California, a copy of either (a) a California seller's permit issued under Revenue and

Taxation Code section 6066 et seq. or (b) a certificate of registration issued under Revenue and Taxation Code section 6226.

- ii. The Proposer selected will need to be certified with the California Secretary of State to do business in the state of California. If the Proposer is a California corporation, limited liability company (“LLC”), limited partnership (“LP”), or limited liability partnership (“LLP”), Proposer must submit proof that Contractor is in good standing in California. If the Proposer is a foreign corporation, LLC, LP, or LLP, and Proposer conducts or will conduct (if awarded the contract) intrastate business in California, Proposer must submit proof that Proposer is qualified to do business and in good standing in California. If the Proposer is a foreign corporation, LLC, LP, or LLP, and Proposer does not (and will not if awarded the contract) conduct intrastate business in California, Proposer must submit proof that Proposer is in good standing in its home jurisdiction.
- iii. The Proposer must provide copies of the Proposer’s (and any subcontractors’) current business licenses, professional certifications, or other credentials.
- iv. The Proposer must complete the General Certifications Form (Attachment 4) and submit the completed form with its proposal.
- v. The Proposer must complete the Small Business Declaration form (Attachment 5) only if it wishes to claim the small business preference associated.
- vi. The Proposer must complete the Payee Data Record (Attachment 6A) in order to process payments. The Payee Data Record Supplement (Attachment 6B) is optional.
- vii. The Proposer must complete the Iran Contracting Act Certification (Attachment 7) and submit the completed certification with its proposal.
- viii. The Proposer must complete the Unruh Civil Rights Act and California Fair Employment and Housing Act Certification (Attachment 8) and submit the completed certification with its bid.
- ix. The Proposer must complete the Darfur Contracting Act Certification (Attachment 9) and submit the completed certification with its proposal.
- j) Third-Party Product(s). If applicable, provide details of third-party products that are to be used with the proposed implementation.

8.2 **Cost Portion.** The following information must be included in the Cost portion of the proposal:

- a) Proposers shall provide a firm fixed price in the format provided in Exhibit 3, the "Cost Workbook." Prices provided in any format or according to any structure that differs in any respect from the requested format provided in Cost Workbook will disqualify Proposer's Proposal from consideration for an award.
- b) Proposer shall use Exhibit 3, Cost Workbook, to propose all costs, fees, expenses, and pricing for this project. All tabs in the Cost Workbook must be completed. Any areas that require a cost in the Cost Workbook that are left blank will considered to be valued at zero costs (\$0.00).
- c) Costs should include firm pricing for all procurement items and a schedule of costs, aligned with the proposed project plan, to complete all upgrade, implementation, migration, and ongoing support requirements.

**NOTE: It is unlawful for any person engaged in business within the state of California to sell or use any article or product as a "loss leader" as defined in Section 17030 of the Business and Professions Code section 17030.**

## 9.0 OFFER PERIOD

A Proposer's proposal will be deemed an irrevocable offer for 180 days following the proposal due date. In the event a final Master Agreement 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 via a collaboration platform such as Cisco Webex meeting. The Judicial Council will post meeting details at [www.courts.ca.gov/rfps.htm](http://www.courts.ca.gov/rfps.htm). The Judicial Council will evaluate the proposals on a 103-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 at [www.courts.ca.gov/rfps.htm](http://www.courts.ca.gov/rfps.htm).

CRITERION	MAXIMUM NUMBER OF POINTS
Acceptance of Terms & Conditions	7
Company Overview/Experience and Qualifications/Key Staff/Implementation and Support Methodology	4

CRITERION	MAXIMUM NUMBER OF POINTS
Response to the TRIRIGA upgrade, implementing business and technical requirements, implementation approach/methodology/schedule, data migration, WebLogic to WebSphere migration, and Oracle 19c to DB2 database migration.	39
Response to providing Managed Services ongoing support.	20
Disabled Veteran Business Enterprise (DVBE) Incentive	3
Cost of proposal based on firm fixed prices	30

**11.0 PROPOSER PRESENTATIONS *[Revised with Addendum 03]***

The Judicial Council will invite qualified Proposers for a presentation of their proposal, which will include introducing the Proposer's Key Personnel who will work on the upgrade and implementation project, as well as provide ongoing support. Presentations are to summarize and clarify information in the Vendor's proposal. The presentations will most likely be conducted via WebEx or Microsoft Teams. The Judicial Council will notify qualified Proposers regarding presentation arrangements. Upon completion of the presentations, the evaluators may revise the scores of their initial evaluation.

The Judicial Council may, at its sole discretion, hold additional interviews with Proposers to clarify aspects set forth in their proposals and/or presentations; however, these additional interviews will only be held with those Proposers where the Judicial Council deems additional clarifications are needed. The interviews will be conducted via WebEx or Microsoft Teams. The Judicial Council will notify Proposers, if any, regarding any additional interviews. Upon completion of all interviews, the evaluators may revise the scores of their previous evaluation.

Upon completion of the presentations and interviews, if any, the results of the non-cost technical scores will be published on the RFP webpage at [www.courts.ca.gov/rfps.htm](http://www.courts.ca.gov/rfps.htm).

**12.0 CONFIDENTIAL OR PROPRIETARY INFORMATION**

Proposals are subject to disclosure requirements pursuant to applicable provisions of the Public Contract Code and rule 10.500 of the California Rules of Court.

The Judicial Council will not disclose social security numbers or 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 ("DVBE") INCENTIVE**

13.1 Qualification for the DVBE incentive is not mandatory. Failure to qualify for the DVBE incentive will not render a proposal nonresponsive.

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 10.0 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").

13.2 If Proposer wishes to seek the DVBE incentive:

- a. Proposer must complete and submit with its proposal the Bidder Declaration (Attachment 13). Proposer must submit with the Bidder Declaration all materials required in the Bidder Declaration.
- b. Proposer must submit with its proposal a DVBE Declaration (Attachment 14) 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.

13.3 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.



- 13.4 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 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 MILITARY AND VETERANS CODE SECTION 999.9.**

#### **14.0 SMALL BUSINESS PREFERENCE**

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

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](http://www.courts.ca.gov/documents/jbcl-manual.pdf)). However, in light of the COVID-19 pandemic, electronic submissions will be permitted. Failure of a Proposer to comply with the protest procedures set forth in that chapter, with the exception of being permitted to submit a protest or appeal electronically, will render a protest inadequate and nonresponsive, and will result in rejection of the protest. The deadline for the Judicial Council to receive a solicitation specifications protest is two days before the proposal due date. Protests must be sent electronically to: [Solicitations@jud.ca.gov](mailto:Solicitations@jud.ca.gov).