



Judicial Council of California
ADMINISTRATIVE OFFICE OF THE COURTS

FINANCE DIVISION

455 Golden Gate Avenue, San Francisco, California 94102-3688
Telephone 415-865-7960. Fax 415-865-4325. TDD 415-865-4272

WILLIAM C. VICKREY
Administrative Director of the Courts

RONALD G. OVERHOLT
Chief Deputy Director

STEPHEN NASH
Director, Finance Division

Tani Cantil-Sakauye
Chief Justice of California
Chair of the Judicial Council

TO: POTENTIAL PROPOSERS

FROM: Administrative Office of the Courts
Finance Division

DATE: **February 9, 2011**

SUBJECT/PURPOSE OF MEMO: REQUEST FOR PROPOSALS
Proposals to provide statewide translation services.

ACTION REQUIRED: You are invited to review and respond to the attached Request for Proposals ("RFP"):
Project Title: Statewide Translation Services
RFP Number: FIN110110CK

PRE-PROPOSAL CONFERENCE There will be no Pre-Proposal Conference.

PROPOSAL DUE DATE: Proposals must be received no later than 2:00 p.m., PST on March 2, 2011. Please refer to Section 3.1 of the RFP for additional key dates and events.

SUBMISSION OF PROPOSAL: Proposals must be sent to:
Judicial Council of California
Administrative Office of the Courts
Attn: Nadine McFadden, RFP #FIN110110CK
455 Golden Gate Avenue
San Francisco, CA 94102

FOR FURTHER INFORMATION: E-MAIL:
Solicitations@jud.ca.gov

1.0 GENERAL INFORMATION

1.1 Background

The Judicial Council of California, chaired by the Chief Justice of California, is the chief policy making body 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 the court administration, practice, and procedure, and performs other functions prescribed by law. The Administrative Office of the Courts (AOC) is the staff agency to the Council and assists both the Council and its chair in performing their duties.

The vast majority of cases in the California courts begin in one of the fifty-eight (58) trial or superior courts which reside in each of the state's 58 counties. As used within this RFP, the term "trial court" is used synonymously with superior court.

In order to gain economies of scale, to standardize terms and conditions for similar purchases through the judicial branch, and to standardize equipment being purchased, the AOC solicits statewide master agreements for the benefit of judicial branch entities.

The AOC works to increase access to justice by providing forms and information in Plain Language English and in languages other than English. The following website is provided as a reference, <http://www.courtinfo.ca.gov/programs/equalaccess/trans.htm>.

2.0 PURPOSE OF THIS REQUEST FOR PROPOSAL

2.1 The AOC's Center for Families, Children and the Courts (CFCC) is dedicated to improving the quality of justice and services to meet the diverse needs of children, youth, and families including self-represented litigants who have limited English proficiency. The CFCC works to maximize the effectiveness of court services and forms, increasing public access and promoting these services to the legal community and the public.

The AOC is responsible for preparation and modification of Judicial Council forms for use by the courts, attorneys and the public. It also provides foreign language instruction forms. The AOC seeks to provide translation services for the State of California's judicial branch. The AOC, on behalf of the fifty-eight (58) Superior

Courts of California, the California Appellate Courts, which includes the Supreme Court of California, and the Administrative Office of the Courts (hereafter collectively referred to as “Purchasing Group,” and individually, a “member of the Purchasing Group” or “Purchasing Group member”), is requesting proposals from highly qualified proposers with expertise in providing translation and formatting services on a statewide basis.

- 2.2 The translation services specifications and related requirements are set forth in Attachment B, Scope of Services.
- 2.3 The AOC intends to award one (1) master agreement (“Master Agreement”) with an initial term of two (2) years, commencing on the Effective Date set forth on the Standard Agreement Coversheet with three (3) one-year options to extend the term, which option(s) may be exercised by the AOC in its sole discretion any time prior to the expiration of the initial term or any option term. There will be no price increases during this initial term. If the AOC elects to extend the term of this Master Agreement, the AOC will use the proposed price adjustment factors applicable during the option period(s) and the price adjustments will be set forth in a written amendment to this Master Agreement. Any agreed-upon price adjustment may not exceed during any one (1) year option period the Consumer Price Index or other proposed index as published by the U.S. Bureau of Labor Statistics.
- 2.4 Proposer shall supply the Purchasing Group members throughout California with an unknown quantity of translation and formatting services. Purchasing Group members may elect, but are not required, to purchase such services from any Master Agreement that results from this RFP.

3.0 RFP SCHEDULE AND GENERAL INSTRUCTIONS

3.1 The following table lists of the key events in this RFP, from RFP issuance through commencement of contracted service. All key dates are subject to change at the AOC’s discretion.

Event	Date
Issue RFP	February 15, 2011
Deadline for Proposer Requests for Clarifications or Modifications	February 21, 2011 by 2:00 p.m. PST
AOC Posts Clarification/Modification Response (estimated)	February 24, 2011 by 2:00 p.m. PST
Proposal Due Date and Time	March 2, 2011 by 2:00 p.m. PST

Event	Date
Posting of Intent to Award on Courtinfo website (estimated)	March, 2011 estimated
Commencement of contracted service (estimated)	April, 2011 estimated

The RFP and any addenda that may be issued will be available on the following website:

<http://www.courtinfo.ca.gov/reference/rfp/> (“Courtinfo website”)

3.2 Proposal Submittal Address:

Nadine McFadden
RFP# FIN110110CK
Judicial Council of California
Administrative Office of the Courts
455 Golden Gate Avenue, 7th Floor
San Francisco, CA 94102-3688

3.3 Request for Clarifications or Modifications

3.3.1 Potential Proposers may submit questions on procedural matters related to the RFP, including questions regarding Attachment C, Master Agreement General Conditions, or requests for clarification or modification of the RFP document to the Solicitations mailbox referenced below. If the potential proposer is requesting a change, the request must set forth the recommended change and the potential proposer’s reasons for proposing the change.

Solicitations mailbox: solicitations@jud.ca.gov

3.3.2 All questions and/or requests for clarification or modification must be submitted by email to the Solicitations mailbox by no later than the date and time specified in the RFP Schedule in Section 3.1 of this RFP. Questions or requests submitted after the due date and time will not be answered.

3.3.3 All email submissions sent to the Solicitations mailbox **MUST** contain the RFP number and other appropriate identifying information in the email subject line. In the body of the e-mail, always include paragraph numbers whenever references are made to content of this RFP. Failure to include the RFP number as well as other sufficient identifying information in the

email subject line may result in the AOC taking no action on a potential proposer's email submission.

- 3.3.4 Without disclosing the source of the question or request, the AOC Contracting Officer will post a copy of the questions and the AOC's responses on the Courtinfo website.
- 3.3.5 If a potential proposer's question relates to a proprietary aspect of its proposal and the question and/or answer would expose proprietary information if disclosed to competitors, the potential proposer may submit the question in writing, conspicuously marking it as "CONFIDENTIAL." With the question, the potential proposer must submit a statement explaining why the question and/or answer should be treated as confidential. If the AOC concurs that the disclosure of the question and/or answer would expose proprietary information, the AOC will treat the question and/or answer confidentially. If the AOC does not concur regarding the proprietary nature of the question or answer, the potential proper will be notified that the AOC will disclose the question and/or answer and give the potential proposer an opportunity to withdraw the question.

4.0 RFP ATTACHMENTS

4.1 The following documents are incorporated into this RFP by reference:

Attachment A – Administrative Rules Governing Requests for Proposals

Attachment B – Scope of Services

Attachment C – Master Agreement General Conditions

Attachment D – Contract Exceptions Form

Attachment E – DVBE Participation Form

Attachment F – Payee Data Record

Attachment G – Certification Regarding Debarment and Suspension

Attachment H – Payment Provisions

4.2 Attachment A, Administrative Rules Governing Request For Proposals. Proposers shall follow the rules, set forth in Attachment A, in preparation of their proposals.

4.3 Attachment B, Scope of Services. The service requirements are set forth in Attachment B.

4.4 Attachment C, Master Agreement General Conditions. Contracts with successful firms will be signed by the parties on a State of California Standard Agreement form and will include terms appropriate for this project. Terms and conditions typical for the requested services are attached as Attachment C.

4.5 Attachment D, Contract Exceptions Form.

Proposers must either indicate acceptance of Contract Terms, as set forth in Attachment C – Master Agreement General Conditions, or clearly identify exceptions to the Contract Terms, as set forth in this Attachment D.

If exceptions are identified, then proposers must submit (i) a red-lined version of Attachment C – Master Agreement General Conditions that clearly tracks proposed changes to this attachment, (ii) written documentation to substantiate each such proposed change and (iii) written explanation to indicate how each proposed change will benefit the AOC and/or any Purchasing Group member.

4.6 Attachment E, DVBE Participation Form. Proposers must complete and submit this Attachment E with their proposal.

4.7 Attachment F, Payee Data Record. The AOC is required to obtain and keep on file, a completed Payee Data Record for each proposer prior to entering into a contract with that proposer. Therefore, proposer's proposal must include a completed and signed Payee Data Record Form, set forth as Attachment F.

4.8 Attachment G, Certification Regarding Debarment and Suspension. Proposers must complete and submit Attachment G, Certification Regarding Debarment and Suspension, with their proposal.

4.9 Attachment H, Payment Provisions. Proposers must complete Attachment H Payment Provisions and submit with their pricing proposal.

5.0 SPECIFICS OF A RESPONSIVE TECHNICAL PROPOSAL

5.1 Proposers must submit the following documents in their technical proposal in the **exact** following order. Proposals must reference each paragraph/subparagraph number along with the proposer's response as outlined below.

5.1.1 Cover letter.

The proposer must prepare a cover letter on the proposer's business letterhead to accompany the proposal. The purpose of this letter is to transmit the proposal; therefore, it should be brief. The letter must be signed by an individual who is authorized to bind his or her firm to all statements, including services and prices, contained in the proposal. The cover letter must state who the proposed prime contractor is, name the proposed subcontractors, and provide proposer's point of contact, including name, physical and electronic addresses, and telephone and facsimile numbers. Additionally, proposer must include all relevant licenses currently held professional credentials and qualifications.

5.1.2 Proposer information. On a separate page(s) the following information must be included:

a. A short narrative description of the proposer's organization, including organization charts and indication of company officers where applicable.

b. Total number of years in business.

c. Number of years providing services similar in size and scope to those requested in this RFP.

d. If subcontractors are proposed for this RFP, a description of the services provided by the subcontractor(s), their location, and the proposer's contract management process and selection criteria for subcontractors. State the percentage of work performed by subcontractor's (non-employees) indicate "no outsourcing for this language," or "do not offer translation for this language" as applicable

- Plain Language (English)
- Armenian (Eastern)
- Khmer
- Cantonese
- Chinese Simplified
- Chinese Traditional
- Farsi
- Hmong
- Korean
- Punjabi
- Russian
- Spanish
- Tagalog
- Vietnamese

e. A project plan that describes how the proposer intends to implement the project. Specifically, the proposer must provide the following information regarding methodologies and organization: Account Team structure and role (including description of sales contact process, Account Team support and periodic account review process).

- i. Communication process with members of the Purchasing Group.
- ii. Program Evaluation (on time delivery, customer satisfaction, and issue resolution).

f. Description of the process to establish an account for a member of the Purchasing Group that may wish to purchase services under any Master Agreement that may result from this RFP, including how the individual accounts would be linked together and identified as a statewide account associated with the Master Agreement. Describe the ordering process and the various options available (e.g., Internet access, telephonic, facsimile, etc.), including the ordering and acknowledgement requirements. See paragraph 2 of Attachment B, Scope of Services.

g. Description of the level of customer service that will be provided, including procedures that will ensure consistency and problem escalation and resolution. See paragraph 3 of Attachment B, Scope of Services. The description should include, but is not limited to:

- i. Telephone customer service and onsite service organizational structure.
- ii. Contact process (phone, email, fax, etc.).
- iii. Follow up process.
- iv. Internal procedures to track customer service contact and resolution.
- v. Escalation process to resolve outstanding customer service and maintenance issues.
- vi. Remedies for not meeting the committed response time for a member of the Purchasing Group.

h. Description of your firm's capabilities to provide quarterly reports, See paragraph 4 of Attachment B, Scope of Services.

5.1.3 Knowledge and Experience.

Proposer should include in its proposal the following:

- a. The approximate amount of business it received in the past year for translating and formatting all types of documents (not just legal) from English into the languages listed above.
- b. A description of its knowledge and experience of translating, including translating legal terminology and concepts, and formatting documents from English to the specified target languages for proposer's customers.
- c. A description of its knowledge and experience of translating, including translating legal terminology and concepts, and formatting documents from English to the specified target languages for public sector customers.
- d. A description of its quality assurance process.

5.1.4 Quality of Work Program Submitted.

Proposer should include the following information regarding its work program:

- a. List of the key personnel who will manage the services provided. This list must identify a team leader and describe his/her experience in this capacity as well this individual's experience in providing translation services.
- b. Description of the proposed project and team organization. Identify key employees and/or supervisors, designated contact persons for the Purchasing Group member(s) and who will be in direct communication concerning requested services
- c. It is the intent of this RFP and any resulting agreement(s) to promote final translated and/or formatted documents of high quality. The proposer shall include a description of any quality control plan.
- d. List the certifications and credentials and experience of staff members, contractors, and subcontractors who would perform the work, including copies of all certifications and/or credentials. Indicate the languages each person would translate.
- e. Description of field testing protocols, including how competency is measured and how improvements are incorporated and retested.
- f. Description of proposer's ability to meet scope requirements in Attachment B – Scope of Services.

5.1.5 Quality of samples of prior translation work and formatting work.

The proposer must provide samples of forms, brochures or pamphlets containing translations and/or form design work in various languages performed by the proposer. Each sample must be uniquely numbered and the attached sample must include the sample number. Proposer must list these samples in their RFP response and indicate whether the sample is for general translation, legal translation and/or formatting purposes (a sample can be used for both purposes). Proposer should include any comments about the sample.

5.1.6 Software capabilities

- a. Proposer must provide services in Microsoft Word, Microsoft Excel, Microsoft PowerPoint, and Adobe PDF (read and create) or their equivalent and demonstrate their use of these software programs. If

proposer utilizes Nuance OmniForm, proposer must describe how it was used.

b. Describe how proposer is able to provide translated documents in native format, convert translated documents in PDF format, and receive and transmit original and final versions electronically via e-mail or web portal.

c. List any additional software proposer utilizes and the languages such software supports (if there are no restrictions as to what types of languages are supported for the names software, please state “supports all languages”). Include any additional comments or descriptions of software used.

6.0 SPECIFICS OF A RESPONSIVE PRICE PROPOSAL

6.1 Proposers must submit the following documents in their price proposal in the **exact** following order.

6.1.1 Completed copy of Attachment H, Payment Provisions.

6.1.2 Completed copy of Attachment E, DVBE Participation Form.

7.0 EVALUATION OF PROPOSALS

7.1 The evaluation team will first evaluate the technical proposals and score them as described below. These scores will be used to create a short list of firms for further consideration; proposers not on the short list will not be eligible for further consideration.

7.2 After the final technical proposal scores have been calculated, the price proposals will be evaluated and scored by the AOC Contracting Officer, with a total score for each proposer to be calculated.

7.3 The total score available will be 100 points. The proposals will be evaluated using the criteria below.

7.3.1 Knowledge and Experience: 45 points maximum. Proposals will be evaluated on the certifications described in Section 5.1.4 and proposer’s collective knowledge and experience of translating documents from English to the specified target languages for the private sector, translating documents from English to the specified target language for the public sector, translating legal terminology and concepts, and formatting documents as described in Section 5.1.3.

- 7.3.2 Quality of Work Plan Submitted: 25 points maximum. Proposals will be evaluated on the quality of the work plan submitted as described in Section 5.1.4.
- 7.3.3 Quality of Samples or Prior Translation Work and Formatting Work: 15 points maximum. Proposal will be evaluated based on the quality of samples provided pursuant to Section 5.1.5.
- 7.3.4 Proposed Fees: 10 points maximum. Proposals will be evaluated on reasonableness of proposed fees described in Attachment H – Payment Provisions.
- 7.3.5 Software Capabilities: 5 points maximum. Proposal will be evaluated on the software capabilities described in Section 5.1.6.

8.0 SUBMISSION OF PROPOSALS

- 8.1 Responsive proposals should provide straight-forward, concise information that satisfies the requirements noted in paragraphs 5.0 (Specifics of a Responsive Technical Proposal) and 6.0 (Specifics of a Responsive Price Proposal) of this RFP. Expensive bindings, color displays, and the like are not necessary or desired. Emphasis should be placed on conformity to the AOC's instructions, requirements of this RFP and completeness and clarity of content.
- 8.2 Proposals must be delivered by the proposal due date and time to the individual and address listed in paragraph 3.2 (Proposal Submittal Address) of this RFP and **must** be submitted as follows:
 - a. One (1) unbound original of the price proposal and one (1) separate unbound original of the technical proposal.
 - b. Seven (7) bound copies of the price proposal and seven (7) separate bound copies of the technical proposal. One (1) electronic formatted copy of the pricing proposal, in a format compatible with MS Word on a CD-ROM.
 - c. One (1) electronic formatted copy of the technical proposal in MS Word compatible format on a CD-ROM.
 - d. All proposals must be submitted with the price proposal in one (1) sealed envelope marked with "Price Proposal" and the technical proposal placed in a separate sealed envelope marked with "Technical Proposal." Each envelope must also be marked with the proposer's name. These two envelopes should then be placed in a single outside envelope. The outside envelope must be sealed and clearly marked with the RFP Number, Project Title, the Proposal Due Date, and the proposer's name.
 - e. The technical proposal must not include any pricing information. Proposals received by the AOC prior to the proposal due date and time

that are marked properly will be securely kept, unopened until the proposal due date and time. Late proposals will not be considered.

f. All proposals must be delivered via U.S. Mail, express mail carrier, or hand delivery only. A receipt should be requested for hand delivered material.

g. The proposer is solely responsible for ensuring that the full proposal is received by the AOC in accordance with the RFP requirements, prior to the date and time specified in the RFP. The AOC is not responsible for any delays or misdirected mail caused by the U.S. Postal Service, express mail carriers or transmission errors.

h. Only written proposals, accompanied by the CD-ROM submittal, will be accepted.

9.0 RIGHTS

9.1 The AOC reserves the right to award more than one contract pursuant to this RFP.

9.2 The AOC does not guarantee that a proposer will receive a specific volume of work, a specific total contract amount, or a specific order value under any agreement executed pursuant to this RFP.

10.0 CONFIDENTIAL OR PROPRIETARY INFORMATION

The Administrative Office of the Courts is bound by California Rules of Court, rule 10.500 (see: <http://www.courtinfo.ca.gov/rules/amendments/jan2010-2.pdf>) as to disclosure of its administrative records. If the information submitted 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 pursuant to a request for access to judicial administrative records.

If the AOC does not consider such material to be exempt from disclosure under California Rules of Court, rule 10.500, the material may be made available to the public, regardless of the notation or markings. If a proposer is unsure if its confidential and/or proprietary material meets the disclosure exemption requirements of California Rules of Court, rule 10.500, then it should not include such information in its proposal.

11.0 DISABLED VETERAN BUSINESS ENTERPRISE PARTICIPATION GOALS

The State of California requires certain state agencies to contract participation goals of a minimum of three percent (3%) for disabled veteran business enterprises (DVBEs). The AOC applies the same participation goal. If it would be impossible for your company to comply, an explanation of why and demonstration of written evidence to achieve participation is required. Your company must complete Attachment E, DVBE Participation Form and include the form with your Price Proposal. If your company has

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any questions regarding the form, you should submit your questions to solicitations@jud.ca.gov, referencing this RFP's project title and number in the email subject line. Information about DVBE resources can be found at the following Internet web site: <http://www.dgs.ca.gov/default.htm> or by calling the Office of Small Business and DVBE Certification, at 916-375-4940.