



REQUEST FOR PROPOSALS

JUDICIAL COUNCIL OF CALIFORNIA

REGARDING:

RFP TITLE: SUPPORT FOR ON-LINE
DOCUMENT ASSEMBLY PROGRAM

NUMBER: CFCC-2020-12-DM

PROPOSALS DUE:

MAY 11, 2020, NO LATER THAN 2:00 P.M.
PACIFIC TIME

1.0 BACKGROUND INFORMATION

1.1 Judicial Council of California (“Judicial Council”). 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 court administration, practice, and procedure, and performs other functions prescribed by law. The Judicial Council also comprises the staff agency for the council that assists both the council and its chair in performing their duties.

1.2 Center for Families, Children & the Courts (CFCC) As one of the staff offices of the Judicial Council, the Center for Families, Children, and the Courts (“CFCC”), housed in the Council’s Operations and Services Division, provides services to support the council as it leads efforts to ensure the consistent, independent, impartial, and accessible administration of justice.

Founded in 2000, CFCC’s original mandate was to improve the quality of justice and services to children, youth, parents, families, victims of domestic violence, and self-represented litigants. Recognizing the reality that many potential court users face multiple challenges to access to justice, CFCC is committed to developing systemic solutions by collaborating to draw from high impact solutions and innovations in all program areas. CFCC provides a wide variety of resources to assist the trial courts to meet the needs of the over 4.3 million self-represented litigants in California’s court system including more than 125 document assembly programs.

1.3 Document Assembly Programs: Document assembly programs are "expert systems" that provide assistance with the completion of legal documents without providing legal advice or representation. The central premise of a document assembly program is that it converts a complicated form or data set into a series of plain language questions organized into a user-friendly interview. The answers to the interview questions populate forms that are used in a variety of ways in the court, such as petitioning for a dissolution, requesting a fee waiver, and providing financial disclosure information in the context of pending litigation. California currently publishes over 1000 forms, many of which are mandatory, for participating in legal processes in the state courts. Many court processes require multiple forms for a single filing. The more than 125 HotDocs programs currently maintained by the Judicial Council offer court users the ability to complete documents in the areas of domestic violence, dissolution, parentage actions, other family law filings such as a Request for Order, answer to a governmental child support case, and various judgment programs, civil harassment and elder abuse restraining orders, name change, unlawful detainer, and guardianship and limited conservatorship petitions.

2.0 PURPOSE FOR THIS REQUEST FOR PROPOSALS (“RFP”)

2.1 This Request for Proposals (“RFP”) is the means for prospective proposers to submit their

qualifications and request selection as the Contractor for the Work set forth in the Description of Services.

- 2.2 It is the intention of the Judicial Council to award a single contract for one year with three (3) option periods, estimated to begin June 1, 2020.

June 1, 2020 – May 30, 2021 – “Initial Term”

June 1, 2021 – May 30, 2022 – “First Option Term”

June 1, 2022 – May 30, 2023 – “Second Option Term”

June 1, 2023 – May 30, 2024 – “Third Option Term”

3.0 DESCRIPTION OF SERVICES

CFCC requires a contractor to provide the following services to maintain and support its extensive body of HotDocs document assembly programs:

- a) Provide a stable, user-friendly online platform to host between 100-150 live HotDocs programs (“templates”), and approximately 50 test programs. Program interviews consist of between 50 and 2,000 questions and populate from 5 to 35 forms per program.
- b) Support approximately 300,000 assemblies per year statewide using HotDocs Server®. Assembled form sets typically contain between 4 and 75 sheets of paper;
- c) Provide developer program management screens that allow users to view all programs, including key metadata, such as creation date and last modification date. Enable users to access the programs from the program management screen, as well as delete programs.
- d) Provide support for user management including middleware that allows HotDocs programs to be hosted on the HotDocs server.
- e) Provide 36 hours of phone and email support to Judicial Council program developers annually.
- f) Maintain the library of HotDocs templates; ensure that it remains compatible as HotDocs software is updated.
- g) Allow non-registered users to access interviews and print documents.
- h) Support registered users with secure login and password assistance. Enable users to register at the beginning or end of the session.
- i) Maintain answers generated by interviews in a confidential cloud-based site for at least 12 months from the date that they are generated.

- j) Provide capability for e-filing the documents, and XML data created by HotDocs and/or entered directly into the system via the e-filing workflow. Provide credit card payment processing.
- k) Provide prompt support to end users via email and live chat. Track support tickets and ensure 100% resolution of tickets.
- l) Provide quarterly reports in Excel or flat form format regarding usage of programs by key indicators.
- m) Capability to offer direct user accounts for self-represented litigants and developer accounts for Judicial Council staff and other program developers.
- n) Maintain a consistently high level of support for the program with 99.9% uptime for the program.
- o) The platform must have a multilingual interface and must be WCAG 2.0 compliant. The top 5 spoken languages in use in the California courts are English, Spanish, Chinese, Korean and Vietnamese.
- p) The vendor hosting facilities (including computer, network, data storage, backup, archive devices, and the data storage media), and disaster recovery facilities must be located in the United States.
- q) Services must be fully functional by July 1, 2020.

4.0 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.

EVENT	DATE
RFP issued	April 22, 2020
Deadline for questions to Solicitations@jud.ca.gov	April 29, 2020 no later than 1:00 PM (PT)
Questions and answers posted (<i>estimate only</i>) www.courts.ca.gov/rfps.htm	May 1, 2020
Latest date and time proposal may be submitted to	May 11, 2020, no later than 2:00 PM (PT)
Evaluation of proposals. This period includes any interviews (<i>estimate only</i>)	May 11– May 13, 2020
Non-Cost proposals scores posted at	May 14, 2020

EVENT	DATE
www.courts.ca.gov/rfps.htm (<i>estimate only</i>)	
Notice of time and location of public opening of cost portion of proposals will be posted at www.courts.ca.gov/rfps.htm (<i>estimate only</i>)	May 14, 2020
Public Opening of Cost Portion (<i>estimate only</i>)	May 15, 2020
Notice of Intent to Award (<i>estimate only</i>) Deadline to Submit Award Protest (JCC must receive award protest within 5 days of Notice of Intent to Award)	May 19, 2020
Negotiations and execution of contract (<i>estimate only</i>)	May 19 – May 28, 2020
Contract start date (<i>estimate only</i>)	June 1, 2020
Contract end date (<i>estimate only</i>)	May 30, 2021

5.0 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	If selected, the person or entity submitting a proposal (the “Proposer”) must sign a Judicial Council of California Standard Agreement containing these terms and condition (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 identified the benefit to the Judicial Branch from the proposed changes and provides a written explanation or rational for each proposed change.
Attachment 3: Proposer’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.
Attachment 4: General Certifications Form	The Proposer must complete the General Certifications Form and submit the completed form with its proposal.
Attachment 5: Non-Disclosure Agreement	The Proposer must complete and return this form with its proposal.

ATTACHMENT	DESCRIPTION
Attachment 6: Payee Data Record Form	This form contains information the Judicial Council requires in order to process payments and must be submitted with the proposal.
Attachment 7: Unruh Civil Rights Act and California Fair Employment and Housing Act Certification	The Proposer must complete the Unruh Civil Rights Act and California Fair Employment and Housing Act Certification and submit the completed certification with its proposal.
Attachment 8: Small Business Declaration	The Proposer must complete this form only if it wishes to claim the small business preference associated with this solicitation.
Attachments 3-8 must be signed by an authorized representative of the Proposer.	

6.0 PAYMENT INFORMATION

- 6.1 See Attachment 2, Judicial Council Standard Terms & Conditions, Appendix B, Pricing and Payment.
- 6.2 Contractor shall submit invoices upon satisfactory completion of Services.
- 6.3 Payment term is Net 60 from date of acceptance of services rendered and receipt of invoice.

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, requirements, clarity and completeness of content.
- 7.2 The Proposer must submit its proposal in two parts with associated attachments, the Technical Proposal and the Cost Proposal.
 - 7.2.1. Technical Proposal - The Proposer must submit their Technical Proposal as an attachment to an email sent to solicitations@jud.ca.gov.
 - 7.2.1.1. The Technical Proposal must be signed by an authorized representative of the Proposer.
 - 7.2.1.2. The Proposer must indicate on the subject line of the submission email the RFP title and also indicate the RFP number and title on the Proposal attachments.

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7.2.2. Cost Proposal - The Proposer must submit their Cost Proposal as an attachment to an email sent to RFP-CFCC-2020-12-DM-COSTS@jud.ca.gov.

7.2.2.1. The Cost Proposal must include all components required in Section 8.2, Cost Proposal.

7.2.2.2. The Proposer must indicate on the subject line of the submission email the RFP title and number and also indicate the RFP number and title on the Proposal attachments.

7.3 Submission acceptance will be based on the date and time the emails are received by the Judicial Council. Both emails must be received prior to the due date and time or the proposal will not be accepted.

8.0 PROPOSAL CONTENTS

8.1 **Technical Proposal**. The following information must be included in the Technical Proposal. Every effort must be made to provide detailed information for services. A Proposal lacking any of the following information may be deemed non-responsive.

8.1.1 Proposed method to complete the work. Propose plan to address each element required in 3.0 Description of Services.

8.1.2 Provide a written description with screenshots showing the following workflows:
a) Process for uploading a program to the online platform
b) Process for opening a new user account
c) Process for saving and sharing answer files
d) Process for users to access interviews and print documents

8.1.3 Describe experience on similar assignments, with an emphasis on managing complex document assembly programs generated in HotDocs that are commonly used by low-income self-represented litigants.

8.1.4 The Proposer's name, address, telephone and fax numbers, and federal tax identification number. Note: 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.

8.1.5 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.

8.1.6 For each key staff member, provide their resume with background and experience as well as the individual's ability and experience in conducting the proposed activities.

8.1.7 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.

8.1.8 Acceptance of the Terms and Conditions.

On Attachment 3, Proposer's Acceptance of Terms and Conditions, 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.

8.1.9 Certifications, Attachments, and other requirements.

8.1.9.1 Submit signed documents for the following:

- Attachment 2 – Judicial Council Standard Terms and Conditions (submit only if there are exceptions/modifications as indicated on Attachment 3)
- Attachment 3 – Proposer’s Acceptance of Terms and Conditions
- Attachment 4 – General Certifications Form
- Attachment 5 – Non-Disclosure Agreement
- Attachment 6 – Payee Data Record Form
- Attachment 7 - Unruh Certification Form
- Attachment 8 – Small Business Declaration: The Proposer must complete this form only if it wishes to claim the small business preference associated with this solicitation.

Note: If exceptions are identified in Attachment 2, the Proposer must also submit (i) a redlined version of the Terms and Conditions with Attachment 2 that shows all proposed changes, and (ii) a written explanation or rationale for each exception and/or proposed change.

- 8.1.9.2 The Proposer must complete the General Certifications Form (Attachment 4) and submit the completed form with its proposal.
- 8.1.9.3 The Proposer must complete the Non-Disclosure Agreement (Attachment 5) and submit the completed certification with its proposal.
- 8.1.9.4 The Proposer must complete the Payee Data Record Form (Attachment 6) and submit the completed certification with its proposal.
- 8.1.9.5 The Proposer must complete the Unruh Certification Form (Attachment 7) and submit with its proposal.
- 8.1.9.6 If Proposer is a California corporation, limited liability company (“LLC”), limited partnership (“LP”), or limited liability partnership (“LLP”), proof that Proposer is in good standing in California. If Proposer is a foreign corporation, LLC, LP, or LLP, and Proposer conducts or will conduct (if awarded the contract) intrastate business in California, provide proof that Proposer is qualified to do business and in good standing in California. If 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, proof that Proposer is in good standing in its home jurisdiction.
- 8.1.9.7 Proof of financial solvency or stability by providing the most recent year of audited balance sheets and income statements.
- 8.1.9.8 Attachments 8 shall be submitted with Proposer’s proposal as applicable.

8.2 Cost Proposal. The following information must be included in the Cost Proposal.

- 8.2.1 Total annual cost for the service as set forth in 3.0, Description of Services for the initial term.
- 8.2.2 Total annual cost for the service as set forth in 3.0, Description of Services for each of the 3 option terms.
- 8.2.3 Provide a proposed cost per assembly if there are more than 300,000 assemblies of documents per year as projected in 3.0 (b).
- 8.2.4 The total annual cost shall be fully burdened and inclusive of all cost including, but not limited to personnel, materials, computer support, travel, lodging, per diem, and overhead rates payable to the proposer for services rendered to the Judicial Council. The proposer shall not charge nor, shall the Judicial Council pay any overtime rate.
- 8.2.5 Fully explain and justify all budget line items in a narrative entitled “Budget Justification.”
- 8.2.6 Fully explain and justify all budget line items in a narrative entitled “Administrative and Operating Expenses”.

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

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

The cost portion of proposals will be publicly opened at the date and time noted in Section 4.0.

Inquiries on the exact venue may be inquired at solicitations@jud.ca.gov no earlier than the day after the latest date and time proposal may be submitted.

The Judicial Council will evaluate the proposals on a 100-point scale using the criteria set forth in the table below.

If a contract will be awarded, the Judicial Council will post an Intent to Award notice on the Courts Website at: <http://www.courts.ca.gov>.

CRITERION	MAXIMUM # POINTS
Quality of proposal (Completeness and inclusion of required information in conformance with the RFP submission requirement; and clarity of the proposal content)	5
Quality of work plan submitted	5
Experience on similar assignments	20
Cost	50
Credentials of staff to be assigned to the project	2
Acceptance of the Terms and Conditions	10
Ability to meet timing requirements to complete the project	8

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 interviews may be conducted in person or by phone. If conducted in person, interviews will likely be held at the Judicial Council San Francisco office. 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 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 8**). 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 MISREPRESENTATION IN CONNECTION WITH THE SMALL BUSINESS PREFERENCE IS UNLAWFUL AND IS PUNISHABLE BY CIVIL PENALTIES. SEE GOVERNMENT CODE SECTION 14842.5.

13.0 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.

14.0 PROTESTS

Any protests will be handled in accordance with Chapter 7 of the Judicial Branch Contract Manual (see www.courts.ca.gov/documents/jbcl-manual.pdf). Failure of a Proposer to comply with the protest procedures set forth in this 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 proposal due date. Protests should be sent to:

Judicial Council of California
Branch Accounting and Procurement, Administrative Division
Attn: Protest Hearing Officer, RFP Number: CFCC-2020-12-DM
455 Golden Gate Avenue, Sixth Floor
San Francisco, CA 94102-3688

END OF RFP