Judicial Council of California
ADMINISTRATIVE OFFICE OF THE COURTS

INFORMATION SERVICES DIVISION

455 Golden Gate Avenue • San Francisco, California 94102-3688
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Chair of the Judicial Council

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PATRICIA YERIAN
Director, Information Services Division

TO:	POTENTIAL BIDDERS
FROM:	Administrative Office of the Courts Information Services Division
DATE:	May 13, 2003
SUBJECT/PURPOSE OF MEMO:	REQUEST FOR PROPOSALS Development of Electronic Filing applications conforming to Second Generation Electronic Filing Specifications
ACTION REQUIRED:	You are invited to review and respond to the attached Request for Proposals ("RFP"): Project Title: Second Generation Electronic Filing Specifications RFP Number: IS-03-02
DEADLINE:	**Proposals must be received by 5 p.m. on Friday, May 30th, 2003.**
SUBMISSION OF PROPOSAL:	Proposals should be sent to: **Judicial Council of California** **Administrative Office of the Courts** **Attn: Nadine McFadden** **455 Golden Gate Avenue** **San Francisco, CA 94102**

CONTACT FOR FURTHER INFORMATION:	**NAME:**	**TEL:**	**FAX:**	**E-MAIL:**
	Christopher Smith	415-865-7416	415-865-7497	christopher.smith@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 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 Administrative Office of the Courts (AOC) is the staff agency for the Council and assists both the Council and its chair in performing their duties.

1.2 Second Generation Electronic Filing Specifications Project

The Second Generation Electronic Filing Standards (2GEFS) project has been organized by the California Administrative Office of the Courts under the auspices of its California Electronic Filing Technical Standards (CEFTS) program (see http://www.courtinfo.ca.gov/programs/efiling/). It is chartered to create an enhanced, coherent set of XML Schema and related specifications for court electronic filing and case management systems, using as a basis the implementation experience and knowledge of Legal XML experts gained over the past several years. Phase 1 of the project is producing specifications for the exchange of court filing documents, querying court records, court policies as they relate to electronic filing, and a standard means of programmatic interaction with court case management systems.

2.0 PURPOSE OF THIS RFP

The AOC seeks the services of developers with expertise in (1) electronic filing applications, (2) 2GEFS requirements and draft specifications documents, and/or (3) case management systems used by California courts.

Software applications developed under this RFP will be used for electronic filing interoperability testing (2GEFS Phase 2) and may ultimately be placed into production status by the AOC or selected courts.

3.0 SCOPE OF SERVICES

3.1. Services are expected to be performed by the developer between June 2003 and February 2004.

3.2. The developer will be asked to:

3.2.1 Develop one or more applications compliant with evolving specifications for one or more components of the 2GEFS architecture:

1. Electronic Filing applications supporting the assembly and submission of filing documents;
2. Electronic Filing Manager applications supporting the processing of electronic filings, which may include parsing and assembly of

XML Schema, interpretation of Court Policy XML, clerk review of submitted filings, registration and access control, document management, and interaction with case management systems;

3. Court Adapter applications that enable the communication of Electronic Filing Manager applications with court case and document management systems;
4. Case Management System implementation of the 2GEFS CMS-API specification.

Additional details of functionality, terminology, and the 2GEFS architecture is available upon request (see Contact information on page 1).

3.2.2 Participate in interoperability tests and demonstrate the conformance of developed applications with 2GEFS specifications and other electronic filing applications.

3.2.3 Cooperate with AOC staff and contractors and provide feedback on the performance of and suggested revisions for 2GEFS specifications.

3.2.4 Produce applications or components complaint with the following specifications for:

1. 2GEFS Court Filing XML version 2;
2. 2GEFS Request/Response XML version 2;
3. 2GEFS Court Policy XML version 2;
4. 2GEFS CMS-API version 2.

4.0 SPECIFICS OF A RESPONSIVE PROPOSAL

The following information shall be included in the proposal:

4.1 Name, address, telephone and fax numbers, and social security number or federal tax identification number.

4.2 One printed copy of the proposal signed by an authorized representative of the company or independent developer, including name, title, address, and telephone number of one individual who is the responder's designated representative.

One electronic copy in pdf file format sent to the RFP Contact indicated on page 1.

4.3 Resumes describing the background and experience of key staff, as well as each individual's ability and experience in conducting the proposed activities.

4.4 Describe key staff's knowledge of the requirements necessary to complete this project.

4.5 Names, addresses, and telephone numbers of a minimum of two (2) clients for whom the consultant has conducted similar services. The AOC may check references listed by the consultant.

4.6 Responsive proposals should provide straightforward, concise information that satisfies the requirements noted above. Expensive bindings, color displays, and the like are not necessary or desired. Emphasis should be placed on conformity to the state's instructions, requirements of this RFP, and completeness and clarity of content.

4.7 Overall plan with time estimates for completion of all work required.

4.8 Method to complete the Project:

4.8.1 Computer language(s) to be used.

4.8.2 Proposed project and team organization.

4.8.3 Proposed functions to be performed by the application.

4.8.4 Expected limitations or constraints in performance, interoperability, or deployment.

5.0 COST PROPOSAL

Submit a detailed line item budget showing total cost for each application proposed and related services, if any. Fully explain and justify all budget line items in a narrative entitled "Budget Justification."

The total cost for development services will not exceed $50,000 (fifty thousand dollars) for each application or component inclusive of personnel, materials, computer support, travel, lodging, per diem, and overhead rates. The method of payment to the consultant will be by cost reimbursement.

6.0 RIGHTS

The AOC reserves the right to reject any and all proposals, in whole or in part, as well as the right to issue similar RFPs in the future. This RFP is in no way an agreement, obligation, or contract and in no way is the AOC or the State of California responsible for the cost of preparing the proposal. One copy of a submitted proposal will be retained for official files and becomes a public record.

Only responses accompanied by a written response will be accepted. Written responses should be sent by registered or certified mail or by hand delivery.

7.0 PROJECT MANAGEMENT

The Project Manager for this RFP process is:

Charlene Hammitt
Information Services Division
Administrative Office of the Courts
455 Golden Gate Avenue
San Francisco, CA 94102-3660
415-865-7410
415-865-7496
charlene.hammitt@jud.ca.gov

8.0 EVALUATION OF PROPOSALS

Proposals will be evaluated by the AOC using the following criteria:

a. Quality of work plan submitted;

b. Experience on similar assignments;

c. Credentials of staff to be assigned to the project;

d. Ability to meet timing requirements to complete the project;

e. Reasonableness of fee proposal;

f. Familiarity with 2GEFS requirements and specifications.

9.0 ADDITIONAL REQUIREMENTS

It may be necessary to have a conference to clarify the requirements of this RFP. If such a conference is deemed necessary by the AOC, a conference call will be scheduled. You should notify the project Contact listed on page 1 of your interest in attending any such conference.

It may be necessary to interview prospective developers to clarify aspects of their submittal. If conducted, interviews will likely be conducted by telephone conference call. The AOC will notify developers regarding the interview arrangements.

10.0 PROPOSED CONTRACT TERMS AND ADMINISTRATIVE RULES

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. Generally, the terms of the contract will include, but are not limited to: (1) completion of the project within the timeframe provided; (2) no additional work authorized without prior approval; (3) no payment without prior approval; (4) funding availability subject to Legislature; (5) termination of contract under certain conditions; (6) indemnification of the State; (7) approval by the State of any subcontractors; (8) national labor relations board, drug-free workplace, nondiscrimination, and ADA requirements; and (9) minimum appropriate insurance requirements.

Incorporated in this RFP, and attached as Attachment A, is a document entitled "Administrative Rules Governing Requests for Proposals. Developers shall follow these rules in preparation of their proposals.

JUDICIAL COUNCIL OF CALIFORNIA
ADMINISTRATIVE OFFICE OF THE COURTS

ADMINISTRATIVE RULES GOVERNING REQUESTS FOR PROPOSALS

A. General

1. This solicitation document, the evaluation of proposals, and the award of any contract shall conform with current competitive bidding procedures as they relate to the procurement of goods and services. A vendor's proposal is an irrevocable offer for 30 days following the deadline for its submission.

2. A nondiscrimination clause will be included in any contract that ensues from this solicitation document.

3. In addition to explaining the State's requirements, the solicitation document includes instructions which prescribe the format and content of proposals.

B. Errors in the solicitation document

1. If a vendor submitting a proposal discovers any ambiguity, conflict, discrepancy, omission, or other error in this solicitation document, the vendor shall immediately provide the State with written notice of the problem and request that the solicitation document be clarified or modified. Without disclosing the source of the request, the State may modify the solicitation document prior to the date fixed for submission of proposals by issuing an addendum to all vendors to whom the solicitation document was sent.

2. If prior to the date fixed for submission of proposals a vendor submitting a proposal knows of or should have known of an error in the solicitation document but fails to notify the State of the error, the vendor shall bid at its own risk, and if the vendor is awarded the contract, it shall not be entitled to additional compensation or time by reason of the error or its later correction.

C. Questions regarding the solicitation document

1. If a vendor's question relates to a proprietary aspect of its proposal and the question would expose proprietary information if disclosed to competitors, the vendor may submit the question in writing, conspicuously marking it as "CONFIDENTIAL." With the question, the vendor must submit a statement explaining why the question is sensitive. If the State concurs that the disclosure of the question or answer would expose proprietary information, the question will be answered, and both the question and answer will be kept in confidence. If the State does not concur regarding the proprietary nature of the question, the question will not be answered in this manner and the vendor will be notified.

2. If a vendor submitting a proposal believes that one or more of the solicitation document's requirements is onerous or unfair, or that it unnecessarily precludes less costly or alternative solutions, the vendor may submit a written request that the solicitation document be changed. The request must set forth the recommended change and vendor's reasons for proposing the change. Any such request must be submitted to **the Project Manager indicated in Section 7 of the RFP** by **5:00 PM** on **May 18, 2003.**

D. Addenda

1. The State may modify the solicitation document prior to the date fixed for submission of proposals by faxing an addendum to the vendors to whom the solicitation document was sent. If any vendor determines that an addendum unnecessarily restricts its ability to bid, it must notify **the Project Manager indicated in Section 7 of the RFP** no later than one day following the receipt of the addendum.

E. Withdrawal and resubmission/modification of proposals

1. A vendor may withdraw its proposal at any time prior to the deadline for submitting proposals by notifying the State in writing of its withdrawal. The notice must be signed by the vendor. The vendor may thereafter submit a new or modified proposal, provided that it is received at the Administrative Office of the Courts no later than **5:00 PM** on **May 30, 2003.** Modification offered in any other manner, oral or written, will not be considered. Proposals cannot be changed or withdrawn after **5:00 PM** on **May 30, 2003.**

F. Evaluation process

1. An evaluation team will review in detail all proposals that are received to determine the extent to which they comply with solicitation document requirements.

2. If a proposal fails to meet a material solicitation document requirement, the proposal may be rejected. A deviation is material to the extent that a response is not in substantial accord with solicitation document requirements. Material deviations cannot be waived. Immaterial deviations may cause a bid to be rejected.

3. Proposals that contain false or misleading statements may be rejected if in the State's opinion the information was intended to mislead the state regarding a requirement of the solicitation document.

4. Cost sheets will be checked only if a proposal is determined to be otherwise qualified. All figures entered on the cost sheets must be clearly legible.

5. During the evaluation process, the State may require a vendor's representative to answer questions with regard to the vendor's proposal. Failure of a vendor to demonstrate that the claims made in its proposal are in fact true may be sufficient cause for deeming a proposal nonresponsive.

G. Rejection of bids

1. The State may reject any or all proposals and may or may not waive an immaterial deviation or defect in a bid. The State's waiver of an immaterial deviation or defect shall in no way modify the solicitation document or excuse a vendor from full compliance with solicitation document specifications. The AOC reserves the right to accept or reject any or all of the items in the proposal, to award the contract in whole or in part and/or negotiate any or all items with individual vendors if it is deemed in the AOC's best interest. Moreover, the AOC reserves the right to make no selection if proposals are deemed to be outside the fiscal constraint or against the best interest of the government.

H. Award of contract

1. Award of contract, if made, will be in accordance with the solicitation document to a responsible vendor submitting a proposal compliant with all the requirements of the solicitation document and any addenda thereto, except for such immaterial defects as may be waived by the State.

2. The State reserves the right to determine the suitability of proposals for contracts on the basis of a proposal's meeting administrative requirements, technical requirements, its assessment of the quality of service and performance of items proposed, and cost.

I. Decision

1. Questions regarding the State's award of any business on the basis of proposals submitted in response to this solicitation document, or on any related matter, should be addressed to Patricia Yerian, Information Systems Division, Administrative Office of the Courts, 455 Golden Gate Avenue, San Francisco, CA 94102-3660.

J. Execution of contracts

1. The State will make a reasonable effort to execute any contract based on this solicitation document within 30 days of selecting a proposal that best meets its requirements.

2. A vendor submitting a proposal must be prepared to use a standard state contract form rather than its own contract form.

K. Protest procedure

1. The Administrative Office of the Courts intends to be completely open and fair to all vendors in selecting the best possible system within budgetary and other constraints described in the solicitation document. In applying evaluation criteria and making the selection, members of the evaluation team will exercise their best judgment.

2. A vendor submitting a proposal may protest the award if it meets all the following conditions:

   a. the vendor has submitted a proposal which it believes to be responsive to the solicitation document;

   b. the vendor believes that its proposal meets the state's administrative requirements and technical requirements, proposes items of proven quality and performance, and offers a competitive cost to the State; and

   c. the vendor believes that the State has incorrectly selected another vendor submitting a proposal for an award.

3. A vendor submitting a proposal who is qualified to protest should contact the Contract Officer at the Administrative Office of the Courts at the address given below or call him at 415-865-7989.

   Grant Walker
   Business Services Manager
   Administrative Office of the Courts
   455 Golden Gate Avenue
   San Francisco, CA 94102-3660

4. If the Contract Officer is unable to resolve the protest to the vendor's satisfaction, the vendor should file a written protest <u>within five working days of the contract award notification</u>. The written protest must state the facts surrounding the issue and the reasons the vendor believes the award to be invalid. The protest must be sent by certified or registered mail or delivered personally to:

   Grant Walker
   Business Services Manager
   Administrative Office of the Courts
   455 Golden Gate Avenue
   San Francisco, CA 94102-3660

A receipt should be requested for hand-delivered material.

L. News releases

1. News releases pertaining to the award of a contract may not be made without prior written approval of the Director of the Administrative Office of the Courts.

M. Disposition of materials

1. All materials submitted in response to this solicitation document will become the property of the State of California and will be returned only at the State's option and at the expense of the vendor submitting the proposal. One copy of a submitted proposal will be retained for official files and become a public record. However, any confidential material submitted by a vendor that was clearly marked as such will be returned upon request.

N. Payment

1. Payment terms will be specified in any agreement that may ensue as a result of this solicitation document.

2. **THE STATE DOES NOT MAKE ANY ADVANCE PAYMENT FOR SERVICES**. Payment is normally made based upon completion of tasks as provide in the agreement between the State and the selected vendor. The State may withhold ten percent of each invoice until receipt of the final product. The amount of the withhold may depend upon the length of the project and the payment schedule provide in the agreement between the State and the selected vendor.