

RFP Title: CONTENT AUDIT AND PROCESS ANALYSIS, ENTERPRISE WEB CONTENT MANAGEMENT & FEDERATED CONTENT STRATEGY

RFP Number: IT-OPD-18-47-RB

REQUEST FOR PROPOSALS

JUDICIAL COUNCIL OF CALIFORNIA

REGARDING:

CONTENT AUDIT AND PROCESS ANALYSIS,
ENTERPRISE WEB CONTENT MANAGEMENT &
FEDERATED CONTENT STRATEGY

RFP NUMBER: IT-OPD-18-47-RB

PROPOSALS DUE:

May 7, 2018 NO LATER THAN 3:00 P.M. PACIFIC TIME

BACKGROUND INFORMATION

- 1.1 The Judicial Council of California (Judicial Council), 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.
- 1.2 The Judicial Council maintains several external and internal-facing Web properties, including the California Courts website (www.courts.ca.gov) and a password-protected extranet site. Our California Courts website receives more than a million visitors a month and includes the state's largest collection of free legal self-help information, more than 1,300 fillable Judicial Council legal forms available for download, and hosts appellate court web properties, including the Supreme Court, Courts of Appeal and their respective case information and legal opinions.
- 1.3 In support of Futures Commission recommendations, at the request of the Chief Justice of California, this project will conduct exploratory research into web content management, digital service design, and user experience strategies aimed at improving the depth and breadth of services targeting self-represented litigants. Concepts, strategies, and findings from this initiative will also help guide the creation of an envisioned statewide SRL e-Services portal, pending approval of future funding requests.
- 1.4 In addition to this Request for Proposal (RFP), the Judicial Council has released a separate RFP to seek a vendor experienced in UX design research and content strategy that will conduct user research as well as develop process maps of court user's digital experience and user stories. The Content Audit and Process Analysis vendor will leverage and synthesize results and findings from this and other Judicial Council Website user research and digital service design initiatives.
- 1.5 We are seeking a vendor with deep industry expertise in web content management architectures; knowledge of product/feature catalogues of both open-source and proprietary WCMS platforms; experience in digital asset management best practices, and experience with multi-site implementations to help us establish a web services delivery roadmap for the next five-to-10 years.
- 1.6 Two potential follow-up phases are anticipated, pending availability of funding, including a WCMS selection and a WCMS Implementation and Migration Phase.

2.0 DESCRIPTION OF GOODS AND/OR SERVICES

The Judicial Council seeks a vendor experienced in the Web Content Management space to analyze, document, and deliver an enterprise strategic plan that will support the design, architecture, and implementation of a scalable multi-site web content management and publishing system.

- 2.1 Develop a map of the current content ecosystem. This map should be informed by an inventory of self-represented litigant content on current branch Web properties and a situation analysis of current publishing processes. Approaches should include interviews and facilitated workshops with Judicial Council business units and representative trial courts. Include findings in the Final Findings and Business Requirements Report (See 2.4).
- 2.2 Develop a set of hypotheses to test the viability of federated content production models and workflows with the Digital Services Pilot Team and the conceptual design vendor.
- 2.3 Based on an understanding of the challenges and opportunities of current content production in the branch, formulate an ‘enterprise’ systems approach for supporting federated online communication and publishing needs. Synthesize research and findings from other ongoing user research and digital services activities, currently being undertaken by the Judicial Council.
- 2.4 Deliver a Final Findings and Business Requirements report summarizing a) user interviews and research and content ecosystem map, and b) a Web Publishing Plan that will include requirements and recommendations for a subsequent enterprise WCMS procurement. Components of the plan should include recommended approaches for federating content management across the Judicial branch; information architecture, multi-site administration, and align with end-to-end digital services currently in development.

3.0 TIMELINE FOR THIS RFP

The Judicial Council has developed the following list of key events related to this RFP. All dates are subject to change at the discretion of the Judicial Council.

EVENT	DATE
RFP issued	<i>April 6, 2018</i>
Deadline for questions	<i>April 27, 2018</i>
Questions and answers posted	<i>May 1, 2018</i>
Latest date and time proposal may be submitted	<i>May 7, 2018, 3pm PST</i>
Evaluation of proposals (<i>estimate only</i>)	<i>May 8-14, 2018</i>
Public opening of cost portion of proposals	<i>May 15, 2018</i>
Notice of Intent to Award (<i>estimate only</i>)	<i>May 16, 2018</i>
Negotiations and execution of contract (<i>estimate only</i>)	<i>May 17, 2018</i>
Contract start date (<i>estimate only</i>)	<i>May 21, 2018</i>
Contract end date (<i>estimate only</i>)	<i>June 30, 2019</i>

4.0 RFP ATTACHMENTS

The following attachments are included as part of this RFP:

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ATTACHMENT	DESCRIPTION
Attachment 1: Administrative Rules Governing RFPs (IT Goods and Services)	These rules govern this solicitation.
Attachment 2: Judicial Council Standard Terms and Conditions	<p>If selected, the person or entity submitting a proposal (the “Proposer”) must sign a Judicial Council Standard Form agreement containing these terms and conditions (the “Terms and Conditions”).</p> <p>The following provisions within the Terms and Conditions are minimum contract terms and conditions (“Minimum Terms”) if applicable: Qualification in California, Nondiscrimination, National Labor Relations Board, Expatriate Corporations, Sweatshop Labor, Child Support Compliance Act, Iran Contracting Act, Termination Due to Nonavailability of Funds, Loss Leader, Antitrust Claims, Recycled Products/Post-Consumer Material, Priority Hiring, DVBE Commitment, Small Business Preference Commitment, Union Activities and State Auditor Audit Provision.</p>
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: Small Business Declaration	The Proposer must complete this form only if it wishes to claim the small business preference associated with this solicitation.
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	The Proposer must complete the Unruh Civil Rights Act and California Fair Employment and Housing Act Certification.
Attachment 8: Bidder’s DVBE Declaration	The Proposer must complete this form only if it wishes to claim the preference associated with this solicitation.
Attachment 9: DVBE Declaration	The Proposer must complete this form only if it wishes to claim the preference associated with this solicitation.

5.0 PAYMENT INFORMATION

Cost of proposal should not exceed \$100,000.00, including travel expenses of no more than \$5,000.00.

The following payment-related issues are applicable:

- Basis for payments: Payments will be firm-fixed price, based on deliverables outlined in the final Scope of Work.
- Judicial Council will reimburse travel expenses.
- Payments will be withheld until Deliverables are officially accepted by Judicial Council.

6.0 SUBMISSIONS OF PROPOSALS

6.1 Proposals should provide straightforward, concise information that satisfies the requirements of the “Proposal Contents” section below. Expensive bindings, color displays, and the like are not necessary or desired. Emphasis should be placed on conformity to the RFP’s instructions and requirements, and completeness and clarity of content.

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

a. The Proposer must submit **one (1) original and two (2) copies** of the non-cost portion of the proposal. An authorized representative of the Proposer must sign the original. The original non-cost portion of the proposal (and the copies thereof) must be submitted to the Judicial Council in a single sealed envelope, separate from the cost portion. The Proposer must write the RFP title and number on the outside of the sealed envelope.

b. The Proposer must submit **one (1) original and two (2) copies** of the cost portion of the proposal. An authorized representative of the Proposer must sign the original. The original cost portion of the proposal (and the copies thereof) must be submitted to the Judicial Council in a single sealed envelope, separate from the non-cost portion. The Proposer must write the RFP title and number on the outside of the sealed envelope.

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

Bid Desk

RFP Number: IT-OPD-18-47-RB

Judicial Council of California
455 Golden Gate Avenue, 6th floor
San Francisco, CA 94102

- 6.4 Late proposals will not be accepted.
- 6.5 Only written proposals will be accepted. Proposals must be sent by registered or certified mail, courier service (e.g. FedEx), or delivered by hand. Proposals may not be transmitted by fax or email.

7.0 PROPOSAL CONTENTS

7.1 Non-Cost Portion. The following information must be included in the non-cost portion of the proposal. A proposal lacking any of the following information may be deemed non-responsive.

- a. The Proposer's name, address, telephone and fax numbers, and federal tax identification number. Note that if the Proposer is a sole proprietor using his or her social security number, the social security number will be required before finalizing a contract.
- b. Name, title, address, telephone number, and email address of the individual who will act as the Proposer's designated representative for purposes of this RFP.
- c. Proposed method to complete the work.
 - i. Provide a work plan and proposal that addresses each of the Deliverables listed in Section 2.0. Please be sure to reference RFP to the Judicial Council website at www.courts.ca.gov.
- h. Acceptance of the Terms and Conditions.
 - 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 redlined version of the Terms and Conditions 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 complete the General Certifications Form (Attachment 4) and submit the completed form with its proposal.
- ii. If Contractor is a California corporation, limited liability company (“LLC”), limited partnership (“LP”), or limited liability partnership (“LLP”), proof that Contractor is in good standing in California. If Contractor is a foreign corporation, LLC, LP, or LLP, and Contractor conducts or will conduct (if awarded the contract) intrastate business in California, proof that Contractor is qualified to do business and in good standing in California. If Contractor is a foreign corporation, LLC, LP, or LLP, and Contractor does not (and will not if awarded the contract) conduct intrastate business in California, proof that Contractor is in good standing in its home jurisdiction.

7.2 Cost Portion. The following information must be included in the cost portion of the proposal.

IT Services:

- i. A detailed line item budget showing total cost of the proposed services.
- ii. A full explanation of all budget line items in a narrative entitled “Budget Justification.”
- iii. A “not to exceed” total for all work and expenses payable under the contract, if awarded.

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

8.0 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.

9.0 EVALUATION OF PROPOSALS

The cost portion of proposals will be publicly opened at the date and time noted in Section 3.0 at:

Judicial Council of California
455 Golden Gate Avenue, 3rd floor
San Francisco, CA 94102

The Judicial Council will evaluate the proposals on a 100-point scale using the criteria set forth in the table below. Award, if made, will be to the highest-scored proposal.

If a contract will be awarded, the Judicial Council will post an intent to award notice at www.courts.ca.gov.

CRITERION	MAXIMUM NUMBER OF POINTS
Quality of work plan submitted	20
Experience on similar assignments	12
Cost	50
Credentials of staff to be assigned to the project	5
Acceptance of the Terms and Conditions	5
Ability to meet timing requirements to complete the project	5
DVBE	3

10.0 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.

11.0 DISABLED VETERAN BUSINESS ENTERPRISE INCENTIVE

Qualification for the DVBE incentive is not mandatory. Failure to qualify for the DVBE incentive will not render a proposal non-responsive.

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”).

If Proposer wishes to seek the DVBE incentive:

1. Proposer must complete and submit with its proposal the Bidder Declaration (Attachment 7). Proposer must submit with the Bidder Declaration all materials required in the Bidder Declaration.
2. Proposer must submit with its proposal a DVBE Declaration (Attachment 8) 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.

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.

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 MISREPRESENTATION IN CONNECTION WITH THE DVBE INCENTIVE IS A MISDEMEANOR AND IS PUNISHABLE BY IMPRISONMENT OR FINE, AND VIOLATORS ARE LIABLE FOR CIVIL PENALTIES. SEE MVC 999.9.

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 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.

13.0 PROTESTS

Any protests will be handled in accordance with Chapter 7 of the Judicial Branch Contracting Manual (see www.courts.ca.gov/documents/jbcl-manual.pdf). Failure of a Proposer to comply with the protest procedures set forth in that chapter will render a protest inadequate and non-responsive, and will result in rejection of the protest. The deadline for the Judicial Council to receive a solicitation specifications protest is the proposal due date.

Protests must be sent to:

Manager, Contracts
RFP Number: IT-OPD-18-47-RB
Judicial Council of California
455 Golden Gate Avenue, 6th floor
San Francisco, CA 94102