

REQUEST FOR PROPOSALS

**JUDICIAL COUNCIL OF CALIFORNIA
OFFICE OF COURT RESEARCH
JURY IMPROVEMENT PROGRAM**

REGARDING:

**California Juror Orientation Video
JIP-2019-05-DM**

PROPOSALS DUE:

November 8, 2019 NO LATER THAN **4:00 P.M.** PACIFIC TIME

1.0 BACKGROUND INFORMATION

- 1.1 The Judicial Council of California (the Council), chaired by the Chief Justice of California, is the policy making agency of the California judicial system. The California Constitution direct the Council to improve the administration of justice by performing various functions from trial court funding and adopting rules of court, to conducting surveys and assisting with program management.
- 1.2 The Jury Improvement Program (JIP) was created by the Judicial Council in 1995 through the work of the Blue Ribbon Commission on Jury System Improvement to undertake improvements to all aspects of the jury system, including efficient juror utilization, care and treatment of jurors, citizen expectations about jury service, juror comprehension and education, and trial efficiency. Since 1995, the program has worked directly with the courts to promote improvements in the administration and management of jurors and has supported the work of advisory groups charged by the council with providing policy recommendations for improving the state's jury system. These advisory groups include the Blue Ribbon Commission, the Task Force on Jury System Improvements, the Model Juror Summons Implementation Working Group, the Steering Committee for Jury Rule Proposals, and most recently the Trial Court Presiding Judges Advisory Committee (TCPJAC)/Court Executives Advisory Committee (CEAC) Joint Working Group on Jury Administration.
- 1.3 The Judicial Council intends to award a single, **fifteen (15) - month** contract for this RFP. The contract may be extended for six (6) months at the option of Judicial Council.

2.0 DESCRIPTION OF SERVICES AND DELIVERABLES

2.1 Purpose of the RFP

The Judicial Council's Jury Improvement Program (JIP) is seeking the services of a person or entity with expertise in producing professional quality informational videos in order to create a **Juror Orientation Video** for statewide use by California judicial branch entities (JBE), with or without modification, to satisfy their statutory obligation to provide juror orientation. The person or entity may also be contracted to produce a series of smaller **Video Vignettes**. The Juror Orientation Video or the Video Vignettes will provide valuable educational and civic information for individuals summoned for jury service.

Currently, many courts use *Ideals Made Real*, A 14-minute juror orientation film that was developed and distributed around 2000. Although, for the most part, the film is factually correct, it is dated, and the content as well as credits do not reflect California's modern judicial branch, such as our state's demographic diversity,

changes to judicial branch leadership, as well as improvements to jury administration and management.

2.2 Scope of Services

2.2.1 The Juror Orientation Video: The objective of the Juror Orientation Video is to ensure prospective jurors understand their critical role in our justice system in a way that empowers them, as well as capture the general public's attention with inspiration content that conveys the judicial branch's thankfulness for their participation in jury service.

The ideal juror orientation video's goal length will be at or under 10 minutes, but no longer than 15 minutes. The ideal video components will be the Who, What, Where, Why, and How of jury service:

Who – who are all individuals involved in the jury trial process, e.g. judge, reporter, clerk, bailiff, plaintiff, defendant/respondent.

What – what the jury trial process is and what the role of jurors in that process is, what jurors are actually expected to do in a given case, differentiating civil vs. criminal cases.

Where – where jury service occurs, from assembly room to courtroom to deliberations, in general terms, and the appropriate terms for each area described, such as jury box vs. public gallery vs. witness stand.

Why – why jury service is an important obligation of citizenship; stress the need for jurors in our justice system and their crucial work in ensuring equal access to fair and impartial justice.

How – how jury service works, with specific focus on summons and selection (voir dire particularly) as well as deliberations and prohibitions on juror conduct (i.e. no outside research, no advocacy for either side, follow judge's instructions on the law).

2.2.2 Video Vignettes: Any vignettes, if approved, would discuss discrete topics in detail to be determined in coordination with the JIP's subject matter expert, such as differences between petit and grand juries, jury service history in the US and within California, common misconceptions about jury service from jury-related scams to jury-related trauma. Vignettes will run no longer than 5 minutes.

2.2.3 Video Format: Video format for the Juror Orientation Video and the Video Vignettes will be digital broadcast (e.g. YouTube, posting to www.courts.ca.gov) and DVD, with a supply of **250 copies** as well as a master disc to be provided as part of the final deliverable. Main viewing method will occur in the jury assembly room to an audience of prospective jurors summoned by the various trial courts. Closed captioning in English must be available. Closed captioning for Spanish and Chinese is preferred but not required. The JIP will retain exclusive copyright of the Final Juror Orientation Video and any Video Vignettes, if approved.

2.2.4 The ideal Juror Orientation Video and the Video Vignettes will include testimonials from actual jurors, judges, and/or attorneys; mixed use of live-action and animated segments, a welcome and thank-you message from the Chief Justice or other high-ranking member of California judicial branch; be filmed on location at a California courthouse to be determined; as well as footage reflecting the natural and cultural diversity of California. The video(s) will also highlight the diversity of our state, appealing to the broadest range of Californians, as well as serve to address explicit and/or implicit concerns that prospective jurors may have about their service.

2.2.5 **Delivery of the Videos:** Delivery of the Juror Orientation Video is preferred by July 1, 2020, but not to exceed one (1) year from the date the work request is initiated. Delivery of the Video Vignettes, if ultimately desired and approved, is preferred to occur on the same delivery date as the Juror Orientation Video, but not to exceed three (3) months of the delivery date of the Juror Orientation Video.

2.2.6 **Desired Qualification:** The ideal person or entity to produce the Juror Orientation Video or Video Vignettes should possess:

- Minimum 5 years of experience in producing educational or informational videos for public or private organizations;
- A portfolio of similar types of video or video vignettes with at least 3 examples;
- Data driven evidence of increased audience engagement with and retention of information from their videos or video vignettes; and
- A demonstrable track record of avoiding or minimizing cost and time overruns.

2.2.7 **Internal Background Check:** Contractor awarded for this contract shall be responsible for completing an internal background investigation and review for all the on-site personnel they will be providing for this project prior to the beginning of principal photography and production.

2.2.8 **Insurance:** Contractor shall have insurance to cover damages for any possible loss or damage while property is under the custody or use of the Contractor as well as for damage to any fixed property. Contractor shall be responsible for the satisfactory repair, or replacement (at the option of the JBEs) of any property that is lost, damaged or stolen while in Contractor's custody or use.

2.3 The Judicial Council Responsibilities

The JIP will provide subject matter expertise, a court location for shooting, actual jurors, judges, and attorneys for testimonials, as well as a high-ranking member of the judicial branch for a welcome and thank-you message. Additionally, the JIP will provide as much assistance as it is reasonably able to in obtaining necessary equipment, graphics, and props. However, this notwithstanding, it remains the responsibility of the production company to ensure these, and any other materials (such as cameras, mics, and similar equipment) or persons (such as actors, extras, and crew) or hair and makeup styling, are available for use when needed to complete pre-production, principal photography, and post-production.

3.0 TIMELINE FOR THIS RFP

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

EVENT	DATE
RFP issued	9/27/2019
Deadline for questions Solicitations@jud.ca.gov	10/25/2019, by 3:00 pm (Pacific Time)
Questions and answers posted (estimate only) www.courts.ca.gov/rfps.htm	11/1/2019
Latest date and time proposal may be submitted	11/8/2019, by 4:00 PM (Pacific Time)
Evaluation of proposals (<i>estimate only</i>)	11/11/2019 through 11/18/2019
Anticipated interview dates (<i>estimate only</i>)	11/19/2019-12/6/2019
Notice of Intent to Award (<i>estimate only</i>) www.courts.ca.gov/rfps.htm	12/16/2019
Negotiations and execution of contract (<i>estimate only</i>)	12/16/2019-1/13/2020
Contract start date (<i>estimate only</i>)	January 13, 2020
Contract end date (<i>estimate only</i>)	April 13, 2021
Receipt of deliverables date (<i>estimate only</i>)	July 1, 2020

4.0 RFP ATTACHMENTS

The following attachments are included as part of this RFP:

ATTACHMENT	DESCRIPTION
Attachment 1: Administrative Rules Governing RFPs (Non-IT Services)	These rules govern this solicitation.
Attachment 2: JBE Standard Terms and Conditions	If selected, the person or entity submitting a proposal (the “Proposer”) must sign the Standard Form agreement.
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: Darfur Contracting Act Certification	The Proposer must complete the Darfur Contracting Act Certification and submit the completed certification with its proposal.
Attachment 6: Payee Data Record Form	This form contains information the JBE requires in order to process payments and must be submitted with the proposal.
Attachment 7: Unruh and FEHA Certification	The Proposer must complete the Unruh Civil Rights Act and California Fair Employment and Housing Act Certification.
Attachment 8: Bidder Declaration	The Proposer must complete this form only if wishes to claim the disabled veteran business enterprise (DVBE) incentive associated with this solicitation
Attachment 9: DVBE Declaration	Each DVBE that will provide goods and/or services in connection with the contract must complete this form. If the Proposer is itself a DVBE, it must also complete and sign the DVBE Declaration.

5.0 PAYMENT INFORMATION AND ACCEPTANCE CRITERIA

5.1 Payment Information: The Judicial Council should pay the Contractor:

- The resulting contract will be comprised of firm fixed pricing for the Description of Services and Deliverables described in Section 2.0 of this RFP.
- No other expenses (including travel expenses) will be reimbursed by the Judicial council;
- The payment term is Net 60 from date or receipt of invoice; and
- See Attachment 2, Standard Terms & Conditions, Appendix B, Pricing and Payment.

5.2 Acceptance Criteria:

Contractor shall submit invoices upon satisfactory completion of services; and the main Juror Orientation Video as well as Video Vignettes (if any) shall exhibit the following minimum acceptance criteria:

- **No juror orientation video will be longer than 15 minutes.**
- **No video vignette will be longer than 5 minutes.**
- **Who** – educates prospective jurors on who the judge, court report, bailiff, court clerk, plaintiff, and respondent/defendant are, including the latter two’s attorneys such as a private lawyer, public defender, and district attorney.
- **What** – explains what jurors are actually expected to do throughout the process from selection to verdict for criminal and civil trials.
- **Where** – shows the various areas that jury service takes place, defining a standard courtroom layout that differentiates the different parts that constitute it, as well as defining the deliberations room and jury assembly room.
- **Why** – emphasizes the importance of jury service and the necessary role jurors play in our justice system.
- **How** – explains how jury service works, with specific focus on the summoning process, selection process, *voir dire*, hearing the evidence during the trial, deliberations process, the sequences of events upon reaching a verdict, and the rare event that a jury is hung, including what the judge may ask of a jury that is at an impasse during deliberations or believes they are unable to reach a verdict. Also includes prohibitions on juror conduct, specifically no outside research or speaking to others about the case (with a specific caution about social media use),

not being an advocate for any side, following the judge's instructions on the law, and upholding the oath all jurors take.

- Includes the following thematic and narrative elements in some form:
 - Inspirational
 - Thankful
 - Empowering for jurors
 - Diverse
 - Attention-grabbing
- *Includes the following narrative elements:
 - Addresses explicit/implicit juror concerns may have, such as impositions on their privacy, being away from work and/or family, serving as a juror on a difficult case
 - Mixed use of live-action and animated segments
 - Testimonials from actual jurors and, if possible, judges
 - A welcome and thank-you message from California's Chief Justice or another high-ranking member of the California judicial branch.
- *The bottom two (2) narrative elements will be coordinated with the JIP's senior analyst, who will screen and solicit volunteer jurors and judges willing to participate, as well as the Chief Justice if possible, or a suitable replacement if otherwise.
- A script that includes the above thematic, narrative, educational, and informational elements.

For the Video Vignettes, the above acceptance criteria may be modified depending upon whether they are approved and what topic(s) they cover. However, the Video Vignettes acceptance criteria are that they may only cover the following topics:

- Q&A section to discuss common questions about jury duty, as well as juror trauma and jury-related scams.
- Common misconceptions about jury service, particularly compared to media portrayals.
- Jury service through American history, including changes as a result of political movements or periods such as Women's Suffrage and the Civil Rights era.
- The differences between trial (petit) juries and grand juries, with encouragement for individuals to learn more about their county's grand jury.

- ****Where to find information about court services provided by the judicial branch, such as self-help centers, law libraries, topical pamphlets, and other useful materials or services.**
 - ****Most of these are listed on www.courts.ca.gov, but the public may not be aware that they are.**

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 technical proposal and the cost proposal.
- a. The Proposer must submit **one (1) original and three (3) copies** of the technical proposal. The original must be signed by an authorized representative of the Proposer. The original technical proposal (and the copies thereof) must be submitted to the JBE in a single sealed envelope, separate from the cost proposal. 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 three (3) copies** of the cost proposal. The original must be signed by an authorized representative of the Proposer. The original cost proposal (and the copies thereof) must be submitted to the JBE in a single sealed envelope, separate from the technical proposal. The Proposer must write the RFP title and number on the outside of the sealed envelope.
 - c. The Proposer must submit an electronic version of the entire proposal on CD-ROM or USB memory stick/flash. The files must be in PDF, Word, or Excel formats.
- 6.3 Proposals must be delivered by the date and time listed on the coversheet of this RFP to:

Bid Desk – California Juror Orientation Video
Judicial Council of California
Branch Accounting and Procurement| Administrative Division
Attn: Sheryl Berry-T, RFP No: JIP-2019-05-DM
455 Golden Gate Avenue, 6th Floor
San Francisco, CA 94102-3688

- 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 Technical Proposal. The following information must be included in the technical 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. For each key staff member: a resume describing the individual's background and experience, as well as the individual's ability and experience in conducting the proposed activities.
- d. The proposer is encouraged to provide names, address, and telephone numbers of three (3) references, preferable from their portfolio, for whom the Proposer has conducted similar services. The JBE may check references listed by the Proposer.
- e. Proposer to provide a portfolio of similar types of video or video vignettes with at least 3 examples and describe their past experience that meet the desired qualification listed in Section 2.2.6 above.
- f. Proposed method or work plan to complete the work described in Section 2.0, including the following:
 - i. Video production expertise
 - ii. Concepts / scripts / storyboards
 - iii. Editing and graphics
 - iv. Actors and/or presenters
 - v. Camera and associated equipment
 - vi. Crew
 - vii. B-rolls and/or cut-away shots
 - viii. Location(s) and production time
 - ix. Studio shooting

- x. Set, props, similar equipment, and extras
 - xi. Stock footage
 - xii. Narration
 - xiii. Audio files
 - xiv. Teleprompter(s)
 - xv. Geographic location(s)
 - xvi. Digitizing, transfers, rendering, and uploading
 - xvii. Length of the video
 - xviii. Use of direct parties and/or third parties, such as subcontractors
 - xix. Interactivity
 - xx. Hosting
 - xxi. Formats
 - xxii. Language and translation
- g. 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 (i) a red-lined version of the Terms and Conditions that implements all proposed changes, and (ii) a written explanation or rationale for each exception and/or proposed change.
- h. 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. The Proposer must complete the Darfur Contracting Act Certification (**Attachment 5**) and submit the completed certification with its proposal.
 - iii. 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.

- iv. The Proposer must complete the Unruh Civil Rights Act and California Fair Employment and Housing Act Certification (**Attachment 7**) and submit the completed certification with its bid.

7.2 Cost Proposal. The following information must be included in the cost proposal in accordance with the requirement of this RFP.

- i. A “not to exceed” total cost for the **Juror Orientation Video**, with detailed budget line items showing the total cost of the proposed services.
- ii. A “not to exceed” total cost for each proposed **Video Vignette**, with detailed budget line items showing the total cost of the proposed services.
- iii. **Licensing/union fees, miscellaneous fees and “other costs”** such as, but not limited to, hair and makeup styling; rentals of any video production equipment such as cameras and boom mics, rentals of costumes, and rentals of locations; catering for the Proposer’s staff, contractors, subcontractors, actors, assistants, and other on-site personnel during principal photography; as well as any type of craft services, such as for set designs, costume designs, and cue cards.
- iv. A “not to exceed” total cost, inclusive of all work and expenses for the Scope of Services described in Section 2.0 of this RFP.

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 JBE reserves the right to negotiate extensions to this period.

9.0 EVALUATION OF PROPOSALS

At the time proposals are opened, each proposal will be checked for the presence or absence of the required proposal contents in Section 7.0.

The JBE 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.

In evaluating each proposal, the JIP will review criteria that includes, but is not limited to, the quality of the proposal and work plan submitted, adherence to the proposed

components listed under Section 2.2 in the Juror Orientation Video and the Video Vignettes, creativity of approach, experience in working on similar projects, length of final video proposed, and reasonableness of cost projections.

If a contract will be awarded, the JBE will post an intent to award notice at <http://www.courts.ca.gov/rfps.htm>

CRITERION	MAXIMUM NUMBER OF POINTS
Quality of proposal (Completeness and inclusion of required information in conformance with the RFP submission requirement in Section 6.0 and 7.0 ; and clarity of the proposal content)	5
Quality of work plan submitted	25
Experience on similar assignments and credentials of staff to be assigned to the project	17
Ability to meet timing requirements to complete the project	15
Acceptance of the Terms and Conditions	5
Cost	30
DVBE Incentive	3

10.0 INTERVIEWS

The JBE 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 JBE’s offices. The JBE will not reimburse Proposers for any costs incurred in traveling to or from the interview location. The JBE will notify eligible Proposers regarding interview arrangements.

11.0 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 JBE 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 JBE's right to disclose information in the proposal, or (b) requiring the JBE 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.

12.0 DISABLED VETERAN BUSINESS ENTERPRISE INCENTIVE

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

12.2 The Proposer will receive a DVBE incentive if, in the sole determination of the Council's staff, 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 as specified in section 9 above.

12.3 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").

12.4 If Proposer wishes to seek the DVBE incentive:

- The Proposer must complete and submit with its proposal the Bidder Declaration (**Attachment 8**). The Proposer must submit with the Bidder Declaration all materials required in the Bidder Declaration.
- The Proposer must submit with its proposal a DVBE Declaration (**Attachment 9**) completed and signed by each DVBE that will provide goods and/or services in connection with the contract. If the Proposer is itself a DVBE, it must also complete and sign the DVBE Declaration (**Attachment 9**). If the 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.

12.5 Failure to complete and submit these forms as required will result in Proposer not receiving the DVBE incentive. In addition, Council staff may request additional written clarifying information. Failure to provide this information as requested will result in Proposer not receiving the DVBE incentive.

12.6 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 JCC 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 MVC 999.9.

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 JBE to receive a solicitation specifications protest is **11/5/2019**. Protests must be sent to:

Judicial Council of California
Branch Accounting and Procurement | Administrative Division
Attn: Protest Officer, RFP Number: JIP-2019-05-DM
455 Golden Gate Avenue, 6th floor
San Francisco, CA 94102-3688