|  |  |
| --- | --- |
|  | REQUEST FOR PROPOSALS   |
| **Judicial council of california****Regarding:****E-Learning Resources for Center for Families, Children & the Courts****RFP No. CFCC-2024-43-SB****PROPOSALS DUE:** **March 12, 2025** no later than at **1 P.M.** Pacific time  |

**1.0 BACKGROUND INFORMATION**

* 1. The Judicial Council of California (JCC), chaired by the Chief Justice of California, is the policy-making body for the California court system. The California Constitution directs the Judicial Council to improve the administration of justice by surveying judicial business and recommending improvements to the courts; and adopting rules for court administration.
	2. The Center for Families, Children, and the Courts (CFCC) is an office within the Judicial Council. The CFCC is dedicated to improving the quality of justice and services to meet the diverse needs of children, youth, and families. To that end, CFCC develops and provides education for multidisciplinary audiences, including judges, court staff, attorneys, social workers, probation officers and self-represented litigants.
	3. The Judicial Council intends to award one (1) agreement with an initial term of approximately sixteen (16) months, estimated to be performed by the successful Proposer from **June 15, 2025** through **September 30, 2026.** The agreement will also include three (3) one-year option terms for two (2) distance learning curricula in each year [FY 2026-2027 (Year 1), FY 2027-2028 (Year 2), FY 2028-2029 (Year 3)]. **The first option term (Year 1) will begin on October 1, 2026, and end on September 30, 2027. The second option term (Year 2) will begin on October 1, 2027 and end on September 30, 2028. The third option term (Year 3) will begin on October 1, 2028 and end on September 30, 2029.** The Judicial Council in its sole discretion may exercise option terms prior to the expiration of the initial term and/or the prior option term. **The funding for Year 1 deliverables is not to exceed $63,000. Deliverables for Option Years 1, 2, and 3 are not to exceed $40,000 each year.**

**2.0 DESCRIPTION OF SERVICES AND DELIVERABLES**

2.1 The Judicial Council seeks **one (1)** qualified proposer to produce or assist with online learning tools including recorded classes, converting curricula into online learning tools, and other electronic educational tools that can be used to provide support to court staff and partners in the California court system.

The successful Proposer(s) will:

1. Have demonstrated experience with producing online courses;
2. Plan and consult on learning objectives and curricula and identify content for each course;
3. For each course, conduct multiple pre- and post-production meetings with the CFCC staff to review contents and materials;
4. Ensure content is eligible and compliant to receive continuing education credits such as Minimum Continuing Legal Education (MCLE) and Board of Behavioral Science (BBS) credits;
5. Be responsible for editing and engineering of audio, video and other distance learning content if needed, and any other task needed to deliver completed courses; and
6. Deliver completed courses.

2.2 General Scope of Services Requirements

2.2.1 Contractor(s) must work with Judicial Council staff to create interactive on-line learning tools for a variety of topics.

2.2.2 Online learning tools include, but are not limited to, interactive distance learning platforms; the ability to conduct pre and post- tests, the ability to obtain continuing education credits if needed.

2.2.3 The published output of the e-learning software must be embeddable on a website via iframe or something equivalent.

* 1. Tasks and Deliverables. The Judicial Council anticipates the following major tasks and specific deliverables in connection with the scope of services described in this Request for Proposals (RFP). Without changing the Deliverables, the Proposer should correct, validate and expand on the tasks, as deemed necessary or desirable by the Proposer.
		1. Task 1 – Development of E-Learning tools for various units in the Center for Families, Children and the Courts office of the Judicial Council.

**Deliverable 1:** Meet with Judicial Council staff to determine lead staff on each of the curriculum projects and produce notes from that meeting **by June 30, 2025**.

* + - 1. **Distance Learning Curriculum #1 (12-hour competency requirements for child’s counsel in Juvenile Delinquency cases)**
				1. Meet with Judicial Council staff to discuss creation of curriculum project.
				2. Create an interactive distance learning tool. Interactive tasks should include multi-media presentations and training methods including hypotheticals, practice exercises, case studies, and any other adult learning method that would keep adult learners engaged.
				3. Learning Objectives: Participants will be able apply the following concepts and information when they are representing a child in juvenile delinquency court:
* An overview of delinquency law and related statutes and cases;
* Trial skills, including drafting and filing pretrial motions, introducing evidence at trial, preserving the record for appeal, filing writs, notices of appeal, and posttrial motions;
* Advocacy at the detention phase;
* Advocacy at the dispositional phase;
* Child and adolescent development, including training on interviewing and working with adolescent clients;
* Competence and mental health issues, including capacity to commit a crime and the effects of trauma, child abuse, and family violence, as well as crossover issues presented by youth involved in the dependency system;
* Police interrogation methods, suggestibility of juveniles, and false confessions;
* Counsel's ethical duties, including racial, ethnic, and cultural understanding and addressing bias;
* Cultural competency and sensitivity relating to, and best practices for, providing adequate care to lesbian, gay, bisexual, and transgender youth;
* Understanding of the effects of and how to work with victims of human trafficking and commercial sexual exploitation of children and youth;
* Immigration consequences and the requirements of Special Immigrant Juvenile Status;
* General and special education, including information on school discipline;
* Extended foster care;
* Substance abuse;
* How to secure effective rehabilitative resources, including information on available community-based resources;
* Direct and collateral consequences of court involvement;
* Transfer of jurisdiction to criminal court hearings and advocacy in adult court;
* Appellate advocacy; and
* Advocacy in the postdispositional phase.
	+ - * 1. **Deliverable 2:** Complete outline of distance learning tool for review by the Judicial Council by **September 30, 2025**.
				2. **Deliverable 3**: Deliver the initial Distance Learning Tool by **May 31, 2026.**
				3. **Deliverable 4:** Deliver completed Distance Learning Tool by **June 30, 2026.**
			1. **Option Year 1: Distance Learning Curriculum #2 (1.5 hours, Practices in Juvenile Law)**
				1. Meet with Judicial Council staff to discuss updating curriculum and identify needs, gaps, objectives and outcomes for this project. The intended audiences are juvenile court stakeholders.
				2. Create an interactive distance learning tool with already established curricula. Interactive tasks should include multi-media presentations and training methods including hypotheticals, practice exercises, case studies, and any other adult learning method that would keep adult learners engaged.
				3. Learning Objectives will be provided by the lead attorney on the subject matter or project manager.
				4. **Deliverable 5:** Complete draft outline of distance learning tool for review by the Judicial Council by **November 30, 2026**.
				5. **Deliverable 6:** Complete draft of the Distance Learning tool by **January 31, 2027**.
				6. **Deliverable 7**: Deliver completed Distance Learning tool by **March 30, 2027.**
			2. **Option Year 1: Distance Learning Curriculum #3 (1.5 hours, Cross over issues)**
				1. Meet with Judicial Council staff to discuss updating curriculum and identify needs, gaps, objectives and outcomes for this project. The intended audiences are juvenile court stakeholders.
				2. Create an interactive distance learning tool with already established curricula. Interactive tasks should include multi-media presentations and training methods including hypotheticals, practice exercises, case studies, and any other adult learning method that would keep adult learners engaged.
				3. Learning Objectives will be provided by the lead attorney on the subject matter or project manager.
				4. **Deliverable 8:** Complete draft outline of distance learning tool for review by the Judicial Council by **May 30, 2027**.
				5. **Deliverable 9:** Complete draft of the Distance Learning tool; by **July 30, 2027**.
				6. **Deliverable 10:** Deliver completed Distance Learning tool by **September 30, 2027.**
			3. **Option Year 2: Distance Learning Curriculum #4 (1.5 hours, Attorney Continuing Education Bias)**
				1. Meet with Judicial Council staff to discuss updating curriculum and identify needs, gaps, objectives and outcomes for this project. The intended audiences are juvenile court stakeholders.
				2. Create an interactive distance learning tool with already established curricula. Interactive tasks should include multi-media presentations and training methods including hypotheticals, practice exercises, case studies, and any other adult learning method that would keep adult learners engaged.
				3. **Deliverable 11:** Complete draft outline of distance learning tool for review by the Judicial Council by **November 30, 2027**.
				4. **Deliverable 12:** Complete draft of the Distance Learning Curricula by **January 31, 2028**.
				5. **Deliverable 13**: Deliver completed Distance Learning Curricula by **March 30, 2028.**
			4. **Option Year 2: Distance Learning Curriculum #5 (1.5 hours, Attorney Continuing Education Civility)**
				1. Meet with Judicial Council staff to discuss updating curriculum and identify needs, gaps, objectives and outcomes for this project. The intended audiences are juvenile court stakeholders.
				2. Create an interactive distance learning tool with already established curricula. Interactive tasks should include multi-media presentations and training methods including hypotheticals, practice exercises, case studies, and any other adult learning method that would keep adult learners engaged.
				3. **Deliverable 14:** Complete draft of outline distance learning tool for review by the Judicial Council by **May 30, 2028**.
				4. **Deliverable 15:** Complete draft of the Distance Learning Curricula by **July 30, 2028**.
				5. **Deliverable 16**: Deliver completed Distance Learning Curricula by **September 30, 2028.**
			5. **Option Year 3: Distance Learning Curriculum #4 (1.5 hours, Cultural Sensitivity)**
				1. Meet with Judicial Council staff to discuss updating curriculum and identify needs, gaps, objectives and outcomes for this project. The intended audiences are juvenile court stakeholders.
				2. Create an interactive distance learning tool with already established curricula. Interactive tasks should include multi-media presentations and training methods including hypotheticals, practice exercises, case studies, and any other adult learning method that would keep adult learners engaged.
				3. **Deliverable 17:** Complete draft outline of distance learning tool for review by the Judicial Council by **November 30, 2028**.
				4. **Deliverable 18:** Complete draft of the Distance Learning Curricula by **January 31, 2029**.
				5. **Deliverable 19**: Deliver completed Distance Learning Curricula by **March 30, 2029.**
			6. **Option Year 3: Distance Learning Curriculum #5 (1.5 hours, Court issues facing children and families)**
				1. Meet with Judicial Council staff to discuss updating curriculum and identify needs, gaps, objectives and outcomes for this project. The intended audiences are juvenile court stakeholders.
				2. Create an interactive distance learning tool with already established curricula. Interactive tasks should include multi-media presentations and training methods including hypotheticals, practice exercises, case studies, and any other adult learning method that would keep adult learners engaged.
				3. **Deliverable 20:** Complete draft of outline distance learning tool for review by the Judicial Council by **May 30, 2029**.
				4. **Deliverable 21:** Complete draft of the Distance Learning Curricula by **July 30, 2029**.
				5. **Deliverable 22**: Deliver completed Distance Learning Curricula by **September 30, 2029.**

**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**:** | January 23, 2025 |
| Deadline for questions submitted to:solicitations@jud.ca.gov | **February 13, 2025, No Later than 1:00 PM (PST)** |
| Questions and answers posted (estimate only)www.courts.ca.gov/rfps.htm | February 20, 2025 |
| Latest date and time proposal may be submitted  | **March 12, 2025, No later than 1:00 PM (PST)** |
| Evaluation of proposals (*estimate only*) | March 13th – 27th, 2025 |
| Notice of Intent to Award posted(*estimate only*)[www.courts.ca.gov/rfps.htm](http://www.courts.ca.gov/rfps.htm)Deadline to Submit Award Protest (JCC must receive award protest within 5 days of Notice of Intent to Award) | March 28, 2025 |
| Negotiations and execution of contract (*estimate only*) | April 3, 2025 – April 30, 2025 |
| Contract start date (*estimate only*) | June 15, 2025 |
| Contract end date  | September 30, 2026 |

**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: JCC Standard Terms and Conditions | If selected, the person or entity submitting a proposal (the “Proposer”) must sign this Judicial Council Standard Form agreement containing these terms and conditions (the “Terms and Conditions”). |
| 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 6A: Payee Data Record Form (STD 204) | This form contains information the JCC requires in order to process payments and must be submitted with the proposal. The Payee Data Record Form (STD 204) may be found at the following link:<https://www.documents.dgs.ca.gov/dgs/fmc/pdf/std204.pdf> |
| Attachment 6B:Payee Data Record Form (STD 205) | This form is optional. This form is used to provide remittance address information if different than the mailing address on the STD 204 – Payee Data Record. Use this form to provide additional remittance addresses and additional Authorized Representatives of the Payee not identified on the STD 204. The Payee Data Record Supplement (STD 205) may be found at the following link: [https://www.documents.dgs.ca.gov/dgs/fmc/pdf/std205.pdf](https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.documents.dgs.ca.gov%2Fdgs%2Ffmc%2Fpdf%2Fstd205.pdf&data=05%7C02%7CLaila.Picchi%40jud.ca.gov%7Cd01652d411ee4ca6f35e08dc179ec08c%7C10cfa08a5b174e8fa245139062e839dc%7C0%7C0%7C638411217810051853%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&sdata=AbkW5v%2FrczSg%2Brs5PJT1adubt3kfzuAPOiWKIAi79kQ%3D&reserved=0) |
| Attachment 7:Bidder Declaration  | The Proposer must complete this form and submit it with their proposal if they wish to claim the DVBE incentive associated with this solicitation. |
| Attachment 8:DVBE Declaration  | Proposer must submit a DVBE Declaration completed by each DVBE that will provide goods and/or services in connection with its bid. If Proposer is itself a DVBE, it must complete the DVBE Declaration itself. If Proposer will use one or more DVBE subcontractors, each DVBE subcontractor must complete a DVBE Declaration. If no DVBE incentive is offered, or Proposer does not wish to claim the DVBE incentive, Proposer should not submit a DVBE Declaration. |
| Attachment 9: Unruh and FEHA Certification | The Proposer must complete the Unruh Civil Rights Act and California Fair Employment and Housing Act Certification. |

**5.0 PAYMENT INFORMATION**

**The proposed amounts shall be inclusive of travel and all other expenses.**

The selected Proposer shall submit invoices upon satisfactory completion of services for each deliverable outlined in Section 2 of this RFP. Invoices shall include, in detail, all costs and applicable charges.

The payment terms shall be Net 60 days from the acceptance of the deliverable and receipt of correct invoice.

 Below is an estimate of the payment schedule based on the deliverables as follows:

|  |  |  |  |
| --- | --- | --- | --- |
| **Payment Number** | **Billable Activity** | **Estimated Maximum Firm Fixed Amount** | **Invoice Due Date** |
| #1 | Completion of Deliverable #1 | $3,000 | July 30, 2025 |
| #2 | Completion of Deliverable #2 | $10,000 | October 30, 2025 |
| #3 | Completion of Deliverable #3 | $20,000 | June 30, 2026 |
| #4 | Completion of Deliverable #4 | $30,000 | July 31, 2026 |
| #5 | Completion of Deliverable #5 | $3,000 | December 30, 2026 |
| #6 | Completion of Deliverable #6 | $7,000 | February 28, 2027 |
| #7 | Completion of Deliverable #7 | $10,000 | April 30, 2027 |
| #8 | Completion of Deliverable #8 | $3,000 | June 30, 2027 |
| #9 | Completion of Deliverable #9 | $7,000 | August 30, 2027 |
| #10 | Completion of Deliverable #10 | $10,000 | October 1, 2027 |
| #11 | Completion of Deliverable #11 | $3,000 | December 30, 2027 |
| #12 | Completion of Deliverable #12 | $7,000 | February 29, 2028 |
| #13 | Completion of Deliverable #13 | $10,000 | April 30, 2028 |
| #14 | Completion of Deliverable #14 | $3,000 | June 30, 2028 |
| #15 | Completion of Deliverable #15 | $7,000 | August 30, 2028 |
| #16 | Completion of Deliverable #16 | $10,000 | October 1, 2028 |
| #17 | Completion of Deliverable #17 | $3,000 | December 30, 2028 |
| #18 | Completion of Deliverable #18 | $7,000 | February 29, 2029 |
| #19 | Completion of Deliverable #19 | $10,000 | April 30, 2029 |
| #20 | Completion of Deliverable #20 | $3,000 | June 30, 2029 |
| #21 | Completion of Deliverable #21 | $7,000 | August 30, 2029 |
| #22 | Completion of Deliverable #22 | $10,000 | October 1, 2029 |

**6.0 SUBMISSIONS OF PROPOSALS**

6.1 Proposals should provide straightforward, concise information that satisfies the requirements of the “Proposal Contents” section below. 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 **an electronic copy** of the Technical Proposal. The proposal must be signed by an authorized representative of the Proposer. The Technical Proposal must be submitted via email to solicitations@jud.ca.gov and the attachment must be marked “**TECHNICAL PROPOSAL.”** The Proposer must write the RFP title and number in the subject line of the email.

b. The Proposer must submit **an electronic copy** of the Cost Proposal. The proposal must be signed by an authorized representative of the Proposer. The Cost Proposal must be submitted in the same email to solicitations@jud.ca.gov as the Technical Proposal, but should be a **separate attachment** marked “**COST PROPOSAL**.”. The Proposer must write the RFP title and number in the subject line of the email.

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

6.4 Late proposals will not be accepted.

6.5 Submission acceptance will be based on the date and time the email is received by the Judicial Council. The email must be received prior to the due date and time or the proposal will not be accepted.

**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 their 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. A minimum of two (2) clients to serve as references for whom the Proposer has conducted similar services. References are to include names, addresses, telephone numbers and the email address of a contact person for each client. The JCC may contact referenced clients when reviewing an offer to verify the information provided. The JCC can’t be listed as a reference.

d. Resumes for each individual proposed to work on this project. Resumes should include a person’s education, any applicable credentials and/or certifications, current work history and a summary of experience and knowledge to support the project as outlined in Section 2.0 of this RFP.

e. Statement of Proposer’s experience on similar assignments.

f. At least two examples of online courses developed by Proposer for public sector agencies. If possible, one online course should be for professionals and one should be for the general public.

g. Proposed Work Plan based on Section 2.0: Description of Services and Deliverables, including timeframe for completion for all proposed tasks, using the general deadlines provided in Section 2.3.

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, Proposer must provide the required additional materials listed below. 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.

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. The Proposer must complete the Darfur Contracting Act Certification (**Attachment 5**) and submit the completed certification with its proposal.

1. The Proposer must complete the Payee Data Record Form (**Attachment 6A**) and submit the completed copy with its proposal. Form and instructions are in fillable PDF format available in the link below:

<https://www.documents.dgs.ca.gov/dgs/fmc/pdf/std204.pdf>

1. The Proposer may complete and submit the Data Record Supplement (STD 205) (**Attachment 6B**), if applicable. STD 205 is optional, and it is required only if the remittance address information is different than the mailing address on the STD 204 form. Form and instructions are in fillable PDF format available in the link below:

[https://www.documents.dgs.ca.gov/dgs/fmc/pdf/std205.pdf](https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.documents.dgs.ca.gov%2Fdgs%2Ffmc%2Fpdf%2Fstd205.pdf&data=05%7C02%7CLaila.Picchi%40jud.ca.gov%7Cd01652d411ee4ca6f35e08dc179ec08c%7C10cfa08a5b174e8fa245139062e839dc%7C0%7C0%7C638411217810051853%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&sdata=AbkW5v%2FrczSg%2Brs5PJT1adubt3kfzuAPOiWKIAi79kQ%3D&reserved=0)

1. The Proposer must complete the DVBE Declaration form (**Attachment 8**) and submit the completed form with its proposal if they wish to claim the DVBE incentive.
2. The Proposer must complete the Bidder Declaration form (**Attachment 7**) and submit the completed form with its proposal if they wish to claim the DVBE incentive.
3. 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.
4. The Proposer must complete the Unruh Civil Rights Act and California Fair Employment and Housing Act Certification (Attachment 9) and submit the completed certification with its bid.
5. Copies of the Proposer’s (and any subcontractors’) current business licenses, professional certifications, or other credentials.

7.2 Cost Proposal. The following information must be included in the cost proposal.

i. A detailed line item budget for each deliverable(s) described in Section 2.0 and the firm fixed costs shall not exceed estimated maximum firm fixed amount.

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**

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

The JCC 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 [Bidders / Solicitations | Judicial Branch of California](https://courts.ca.gov/policy-administration/bidders-solicitations)

| **CRITERION** | **maximum number of points** |
| --- | --- |
| Quality of work plan submitted and Proposer’s understanding of the problem or needs*. (Section 2.0.)* | **20** |
| Experience on similar assignments | **25** |
| Reasonableness of cost projections. Proposals will be evaluated in terms of reasonableness of cost, best value, and proposed rate structure. | **30** |
| Qualifications of Proposer based on resumes submitted including experience, expertise and credentials, if any. | **7** |
| Acceptance of the Terms and Conditions | **10** |
| Ability to meet timing requirements to complete the project | **5** |
| Disabled Veteran Business Enterprise Incentive (Section 12.0) | **3** |

**10.0 INTERVIEWS**

The JCC 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 JCC offices in San Francisco. The JCC will not reimburse Proposers for any costs incurred in traveling to or from the interview location. The JCC 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.**

Except as required by law, 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 may be disclosed in response to applicable public records requests, or as otherwise required by law. Such disclosure will be made regardless of whether the proposal (or portions thereof) is marked “confidential,” “proprietary,” “copyright ©,” or otherwise, and regardless of any statement in the proposal (a) purporting to limit the JCC’s right to disclose information in the proposal, or (b) requiring the JCC 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. Submission of any proposal pursuant to this RFP constitutes acknowledgment and consent by the Proposer to the potential public disclosure of its proposal content, pursuant to this Section 11.0. Proposers are accordingly cautioned not to include confidential, proprietary, or privileged information in proposals.

**12.0 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 **9.0** 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.

If using DVBE subcontractors, the Proposer must complete and return to the Judicial Council a copy of the post-contract certification form (https://www.courts.ca.gov/documents/JBCM-Post-Contract-Certification-Form.docx), promptly upon completion of the awarded contract, and by no later than the date of submission of Proposer’s final invoice to the Judicial Council. If the Proposer fails to do so, the Judicial Council will withhold $10,000 from the final payment, or withhold the full payment if it is less than $10,000, until the Proposer submits a complete and accurate post-contract certification form.

When a Proposer fails to comply with the post-contract certification requirement in this section and a payment withhold is applied to a contract, the Judicial Council shall allow the Proposer to cure the deficiency after written notice. Notwithstanding the foregoing or any other law, if after at least 15 calendar days, but no more than 30 calendar days, from the date of the written notice the Proposer refuses to comply with the certification requirements, the Judicial Council shall permanently deduct $10,000 from the final payment, or the full payment if less than $10,000.

**FRAUDULENT MISREPREPRETATION 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 <https://courts.ca.gov/system/files/file/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 of California to receive a solicitation specifications protest is the proposal due date. In order to be considered valid, all such protests must be submitted by email to: solicitations@jud.ca.gov and must indicate the Solicitation Number and Name of Your Firm in the subject line of your email.