

RFP Title: Exam Rating Services for Other Than Spanish Interpreter Certification Exams

RFP Number: CFCC-2025-06-DM

REQUEST FOR PROPOSALS

Judicial Council OF CALIFORNIA

REGARDING:

*Exam Rating Services for Other Than Spanish Interpreter
Certification Exams*

RFP No: CFCC-2025-06-DM

PROPOSALS DUE:

April 10, 2025, NO LATER THAN 1:00 p.m. Pacific Time

1. BACKGROUND INFORMATION

- 1.1. The Judicial Council of California (“Judicial Council or JCC”) is the policymaking body of the California court system, which includes 58 superior courts, the courts of appeal, and the Supreme Court. Under the authority of the state’s Constitution and with the leadership of the Chief Justice of the California Supreme Court, the Judicial Council is responsible for ensuring the fair, impartial, and consistent administration of justice. The Judicial Council promulgates rules and procedures for court administration, develops and implements policies for the judicial branch, and makes recommendations annually to the Governor and the Legislature. Judicial Council staff assist the Judicial Council with implementing policies and supporting court operations.
- 1.2. The Judicial Council’s Center for Families, Children, and the Courts (CFCC) houses the Language Access Services Program. The Language Access Services Program is comprised of two units: Language Access Implementation (LAI) and Court Interpreters Program (CIP). The LAI works to ensure language access for all Limited English Proficient (LEP) court users in California in all 58 superior courts. The CIP oversees the court interpreter testing and credentialing process for statewide certification of court interpreters, along with administrative functions such as statewide recruitment to expand the pool of qualified interpreters and the collection and analysis of statewide data.
- 1.3. California is the most linguistically diverse state in the United States, with around seven million residents who have limited English proficiency and collectively speak over 200 languages. To serve this population in court proceedings and other judicial services, the state employs more than 1,800 certified and registered court interpreters, ensuring critical access to justice.
- 1.4. California’s Government Code §§ 68560-68566 requires the Judicial Council to establish programs and standards that secure qualified interpreters for the courts. This mandate includes setting rigorous standards for the testing, certification, and registration of court interpreters.
- 1.5. To improve access to the courts for non-English speakers, CIP staff work to improve interpreter quality and expand the pool of certified and registered interpreters available for trial courts. CIP’s services include recruitment, testing, certification or registration, interpreter education, and compliance monitoring. For more information about the program and interpreter testing, visit the [Becoming a Court Interpreter](#) webpage.
- 1.6. To become a court interpreter, candidates can pursue one of two designated pathways. The Judicial Council has identified 12 widely used non-English spoken languages as “certified.” All other languages not included in the certified list are designated as “registered.” For details on specific languages, please refer to the language listing for [certified](#) and [registered](#) languages.
- 1.7. The Judicial Council contracts with an outside vendor to administer the certification and registration exams, following the standards and guidelines adopted by the Judicial Council of California, and the National Center for State Courts (NCSC). For more

detail, go to the NCSC website to the [NCSC State Court Interpreter Testing Desk Reference Manual](#).

1.8. **Certified Interpreter Status**

- 1.8.1. The Bilingual Interpreting Examination (BIE) is a four-part oral exam that evaluates a candidate's skills and abilities in a certified-specific high diffusion spoken language, such as Spanish or Vietnamese. Testing includes, 1) Sight Translation (English to non-English [Foreign] Language), 2) Sight Translation (non-English [Foreign] Language to English), 3) Consecutive Interpretation, and 4) Simultaneous Interpretation. To achieve certification, candidates for certified spoken languages must meet the following requirements in a single exam sitting: 1). Pass all four sections of the oral BIE in one sitting, and 2). Score 70% or higher in each section.
- 1.8.2. The Judicial Council develops and maintains a limited number of high-demand language exams, designated as certified, in accordance with NCSC guidelines. These exams are specifically maintained as California-only examinations.
- 1.8.3. Access to the BIE is provided by the NCSC. For California-only exams, these exam forms are managed by the Judicial Council of California.
- 1.8.4. The BIE is administered in person at testing sites across California by a vendor. Candidate scores are reported to both the NCSC and the Judicial Council of California at the conclusion of each exam administration.
- 1.8.5. There are 12 certified spoken languages, with nine (9) managed by the NCSC and three (3) managed exclusively by the Judicial Council of California as California-only examinations (which are designated with an asterisk (*)). These languages are Arabic (Egyptian/Levantine), *Eastern Armenian, Cantonese, *Farsi (Persian), Korean, Mandarin, Portuguese, *Punjabi (Indian), Russian, Spanish, Tagalog (Filipino), and Vietnamese.

1.9. **Purpose of RFP**

- 1.9.1. The Judicial Council of California requests proposals from one or more experienced vendors with a proven track record to provide rater and scoring services for certified languages, specifically those designated as Other Than Spanish (OTS). This request is for a **one-year service commitment**. The initial term of the proposed contract is estimated to be effective from **June 1, 2025**, through **May 31, 2026**, with **two possible options** to renew for up to two consecutive one-year option terms through **May 31, 2028**. Vendor responsibilities include collaborating with an existing exam administration vendor, **Prometric, Inc.**, which oversees all certified language examinations.

The Judicial Council may enter into **one or more contracts**. **Proposers should bid on some or all the languages that they can provide rater services.**

1.9.2. **Previous Volume, Projected Volume and Re-Test Requests.**

Table 1 below illustrates the number of exam takers for languages Other Than Spanish (OTS) between 2018 and 2024. In 2020, due to the COVID-19 pandemic, no BIEs were administered.

Table 1, Historical Candidate Counts: Exam Administration Data (2018–2024)

Calendar Year	BIE	OTS
2018	672	214
2019	661	211
2020	No Exam Administration Due to COVID-19	
2021	190	25
2022	244	60
2023	226	88
2024	404	55

1.9.3. **Third Ratings:** The proposer must conduct third ratings for exams that fall within the score range of 67% to 69%.

1.9.4. **Appeals:** During exam administration, proctoring or technological issues may occasionally arise. If such issues occur, candidates have the right to appeal within 60 days of receiving their exam score results. In these cases, it may be necessary for the existing vendor to re-administer the exam and for the proposer to re-score it.

2. DESCRIPTION OF SERVICES AND DELIVERABLES

2.1. The JBE is seeking **one or more experienced vendors** to score and provide related services for the BIE in languages other than Spanish, where the existing exam administrator is unable to secure raters to grade the exams.

2.2. The successful proposer will work in close collaboration with the existing exam administrator vendor, **Prometric Inc.**, the National Center for State Courts (NCSC), which maintains exam and score information, and the Judicial Council (Council) to effectively manage and adhere to the timeline for completing OTS exam ratings. To fulfill this task, the proposer must fulfill the following prerequisites as part of delivering the rating services:

2.2.1. **Rater Recruitment** – Identify, vet, and recruit qualified raters with expertise in other than Spanish language examinations. See section **1.6** for designated language details.

2.2.2. **Rater Training** – Provide comprehensive, standardized training in alignment with [National Center for State Courts \(NCSC\) rater and exam administration](#)

[guidelines](#) to ensure raters are fully prepared to apply rating criteria with consistency and accuracy. This training includes both refresher and advanced sessions for new and experienced raters, along with specialized training for lead raters and rater supervisors.

- 2.2.3. **Rater Supervision, Retention, and Evaluation** – Oversee rater performance, provide feedback, and conduct ongoing rater and evaluations to maintain high standards in assessment quality.
- 2.2.4. **Exam Rating Services** – Conduct **up to two (2) exam rating sessions per contract year**: one in the spring (if needed) between March through April, and a more comprehensive session in the summer or fall between July and October in the contract year. These sessions will assess candidates’ language proficiency in accordance with National Center for State Courts (NCSC) certification standards.
- 2.2.5. The proposer must be capable of rating 50 to 100 BIEs in OTS languages, strictly adhering to NCSC rating guidelines. The exam results should be available to the Judicial Council within **30 days** from the last day of each exam administration, with a hard deadline not to exceed **45 calendar days** after the last day of each exam administration. For candidates, the dissemination of results must occur no later than 45 calendar days after the last day of each exam administration.
- 2.2.6. These services must be offered as a complete package, ensuring seamless integration and alignment with BIE certification requirements.
- 2.3. The proposer will facilitate seamless communication between the exam administrator and the Judicial Council project management team by:
 - 2.3.1. Providing regular, accurate reports on exam ratings, score data, completion progress, and performance metrics.
 - 2.3.2. Submitting exam scores within **30-45 calendar days** after the last day of each exam administration.
 - 2.3.3. Resolving third-party ratings and appeals within 45 days, with appeals submitted within 15 days of completing the prior month’s ratings. All ratings and appeals must adhere to the approved timelines.
- 2.4. The proposer must maintain a pool of qualified and trained raters who are registered with and listed as approved raters by NCSC. Only raters who meet these criteria may be

considered eligible for rating BIE exams for requested OTS languages, as outlined in paragraph **2.5**.

2.4.1. A pool with a minimum of four (4) trained and NCSC-approved raters must be available for each requested language in Section **2.5**.

2.4.2. Qualified raters for California-only languages must complete training and meet the rater training requirements established by NCSC.

2.5. For 2025, it is anticipated that rater services will be needed for up to eight (8) certified spoken languages, including Arabic (Levantine), *Eastern Armenian, Cantonese, Korean, Mandarin, *Punjabi (Indian), Tagalog (Filipino), and Vietnamese. (*Eastern Armenian and Punjabi are considered California-only languages, while exams for the other languages are maintained by the NCSC).

2.6. Proposers should also include bids for rating **Farsi, Portuguese, and Russian**, in case rater services are required for these languages during the life of the contract.

2.7. The proposer must securely receive, store, manage, and exchange candidate exam renderings and rated exams with the current Exam Administrator, in full compliance with NCSC guidelines. For guideline details, please review [National Center for State Courts State Court Interpreter Testing Desk Reference Manual](#).

2.8. The proposer must rate/score exams in a timely manner to meet established deadlines for both exam ratings and for providing scores to candidates.

2.9. The proposer is also responsible for the following:

2.9.1. Supplying the Judicial Council and/or exam administrator with exam results, including scores, overall pass/fail data, individual item-level data, exam rating materials, dictionaries, glossaries, rater notes, and candidate exam renderings.

2.9.2. Providing ad hoc data reports within 15 business days upon request from the Judicial Council or the National Center for State Courts (NCSC).

2.9.3. Adhering to NCSC exam administration and rating guidelines, including protocols for auditing rated exams and conducting re-ratings if needed.

2.9.4. Complying with all NCSC and exam administrator-established quality assurance (QA) policies for exam ratings.

2.9.5. Working with the exam administrator to resolve exam appeals within the specified timeframes, following NCSC guidelines.

2.10. **Coordination with External Agencies**

2.10.1. The proposer selected through this RFP will be responsible for collaborating with the current exam administrator to:

2.10.1.1. Obtain candidate exam recordings

2.10.1.2. Apply NCSC exam rating standards to score the exams

2.10.1.3. Reconcile and report scoring results to both the exam administrator and the Judicial Council of California (JCC)

2.10.1.4. Exchange necessary information to determine candidate eligibility for the BIE

2.10.1.5. Ensure the timely exchange of exam ratings and results between the exam administrator and the Judicial Council.

2.11. **Deliverables – Table 2**

Deliverables
<p>Deliverable 1: Provide a Rater Recruitment Plan The Contractor will develop a detailed Rater Recruitment Plan based on the certified languages identified by the Judicial Council that require rater services for the year. The plan must include:</p> <ul style="list-style-type: none">• Languages that already have sufficient raters (a minimum of four per language).• Languages that require additional raters to meet the minimum of four per language. <p>The plan should specify:</p> <ol style="list-style-type: none">1. The number of raters needed for each language.2. Steps the Contractor will take to recruit and secure the required raters.3. An estimated timeline aligned with the anticipated testing dates for certified languages.
<p>Deliverable 2: Recruit and Train Raters The Contractor may bill the Judicial Council on a per-rater basis once new raters are successfully recruited and trained.</p> <p>As part of this deliverable, the Contractor shall:</p> <ul style="list-style-type: none">• Recruit and Train Raters—Secure and train new raters as needed.• Register Raters with NCSC—Ensure that all newly qualified, recruited, and successfully trained raters are registered with NCSC as approved for rating NCSC language exams, while raters for California languages must only comply with NCSC training requirements.

Deliverables
<ul style="list-style-type: none">• Monitor and Evaluate Performance—Oversee rater performance, provide feedback, and conduct ongoing evaluations to ensure high standards of assessment quality. <p>In their response to this proposal, proposer must:</p> <p>Specify the per-rater cost for recruitment and training, broken down as follows:</p> <ul style="list-style-type: none">• Recruitment cost per rater.• Training cost per rater. <p>The Contractor will bill the Judicial Council only for the number of raters recruited and trained, based on the specified per-unit costs.</p>
<p>Deliverable 3: Score Exams</p> <p>The Contractor may bill the Judicial Council on a per-exam basis once exams have been scored.</p> <p>As part of this deliverable, the Contractor shall:</p> <ul style="list-style-type: none">• Score Exams—Complete the scoring of exams according to established NCSC guidelines.• Submit Audited Examination Scores—Submit all exam scores to the Judicial Council and candidates within 30-45 calendar days after the last day of each exam administration, ensuring they are provided in an agreed-upon format.• Re-rate Exams (if applicable)—Re-rate exams if necessary due to appeals, following the appropriate procedures. <p>In their response to this proposal, the Proposer must:</p> <ul style="list-style-type: none">• Specify the per-exam cost for scoring, as well as any additional per-exam cost for re-rating exams due to appeals. <p>The Contractor will bill the Judicial Council only for the number of exams scored and re-rated, based on the specified per-unit costs.</p>
<p>Deliverable 4: Rater Activity Report.</p> <ol style="list-style-type: none">1. Rater Activity Report—Proposer must submit within 45 days of the last test administration day. <p>The proposer must comply with these Rater Activity Report content requirements:</p> <ul style="list-style-type: none">• Exam Ratings—List of exams rated by language.• Scores—A minimum of two datasets showing scoring units and percentage scores by language.• Re-rated Exams—List of exams eligible for third ratings, by language.• Quality Assurance—Methodology for rating activities. <p>Additional documentation to be submitted, to include:</p>

Deliverables
<ul style="list-style-type: none">• Candidate audio exam recordings.• Rater incident reports.• Rater-marked scripts (including sight translation scripts for English to Non-English, Non-English to English, consecutive, and simultaneous sections).• Rater Results Forms (from lead rater or supervisor, if applicable).• Completed Scoring Unit Suggestion Forms (Section 7.3.B, NCSC Test Desk Reference Manual). <p>Fee Structure:</p> <p>Proposers should propose a set fee for compiling and submitting the report and accompanying documentation. The Judicial Council may be billed a single set fee for this report deliverable.</p>
<p>Deliverable 5: Year-End Summary Report.</p> <ul style="list-style-type: none">• Year-End Summary Report—By November 30 or the next business day if November 30 falls on a weekend or holiday. <p>Year-End Summary Report</p> <p>The proposer shall provide a Year-End Summary Report that includes the following content criteria:</p> <ul style="list-style-type: none">• Recruitment: A list of recruitment activities and the number of new raters recruited for each OTS language.• Training: A list of training activities and the number of raters trained, sorted by language.• Exams Rated: The total number of exams rated by language for the contract year, broken down by BIE administration.• Re-rated Exams: The total number of eligible third-rating exams re-rated by language and administration.• Final Dataset: A comprehensive dataset (preferably in Excel) that includes candidate demographic information, testing score totals, scoring units, percentage scores by language, and BIE administration. <p>Fee Structure:</p> <p>Proposers should propose a set fee for compiling and submitting the report and accompanying documentation. The Judicial Council may be billed a single set fee for this report deliverable.</p>
<p>Deliverable 6: Ad Hoc Reports (TBD)</p> <p>The Judicial Council may occasionally need ad hoc reports on scoring or other data points. Proposers should individually price the cost of preparation of ad hoc reports.</p>

3. RATING OF EXAMINATION FEES

3.1. The estimated funds available for the resulting contract(s) will not exceed a total of **\$150,000 per year**, which includes all rater services specified in Table 2 above. This covers the recruitment, training, and hiring of qualified raters; the rating of the BIE in languages other than Spanish for NCSC and California; and the reporting of BIE scores to the Judicial Council program staff by the specified due dates (**Section 2.2.5 and 2.3.2**). The proposer will also work closely with Judicial Council staff and the current exam administrator.

4. TIMELINE FOR THIS RFP

4.1. 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:	March 14, 2025
Deadline for written questions to solicitations@jud.ca.gov	March 26, 2025 No Later than 1:00 pm (Pacific Time)
Questions and answers posted (<i>estimate only</i>) https://courts.ca.gov/policy-administration/bidders-solicitations	April 4, 2025
Latest date and time proposal may be submitted: solicitations@jud.ca.gov	April 10, 2025 No Later than 1:00 pm (Pacific Time)
Evaluation of proposals (<i>estimate only</i>)	April 14 - 25, 2025
Notice of Intent to Award (<i>estimate only</i>) https://courts.ca.gov/policy-administration/bidders-solicitations	April 28, 2025
Negotiations and execution of contract (<i>estimate only</i>)	May 5 – May 30, 2025
Contract start date (<i>estimate only</i>)	June 1, 2025
Contract end date (<i>estimate only</i>)	May 31, 2026

5. RFP ATTACHMENTS

The following attachments are included as part of this RFP:

ATTACHMENT	DESCRIPTION
<p>Attachment 1: Administrative Rules Governing RFPs (Non-IT Services)</p>	<p>These rules govern this solicitation.</p>
<p>Attachment 2: Judicial Council Standard Terms and Conditions</p>	<p>If selected, the entity submitting a proposal (the “Proposer”) must sign a Judicial Council of California Standard Agreement containing these terms and condition (the “Terms and Conditions”). If exceptions are identified or additional provisions proposed, the Proposer must also submit a redlined version of the Terms and Conditions that clearly identifies the benefit to the Judicial Branch from the proposed changes and provides a written explanation or rational for each proposed change.</p> <p>Notwithstanding any other provision in this RFP, the Council reserves the right at its discretion to negotiate any or all items with individual Proposers, including the right to propose or require additional terms and conditions for the agreement prior to agreement execution.</p>
<p>Attachment 3: Proposer’s Acceptance of Terms and Conditions</p>	<p>On this form, the Proposer must indicate acceptance of the Terms and Conditions or identify exceptions to the Terms and Conditions.</p>
<p>Attachment 4: General Certifications Form</p>	<p>The Proposer must complete the General Certifications Form and submit the completed form with its proposal.</p>
<p>Payee Data Record Form (STD204) at: https://www.documents.dgs.ca.gov/dgs/fmc/pdf/std204.pdf</p>	<p>This form contains information the Judicial Council requires in order to process payments and must be submitted with the proposal.</p>
<p>Payee Data Record Supplement (STD205) at: https://www.documents.dgs.ca.gov/dgs/fmc/pdf/std205.pdf</p>	<p>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.</p>

ATTACHMENT	DESCRIPTION
Attachment 5 Unruh Civil Rights Act and California Fair Employment and Housing Act	The Proposer must complete the Unruh Civil Rights Act and California Fair Employment and Housing Act and submit the completed certification with its proposal.
Attachment 6 Darfur Contracting Act Certification	The Proposer must complete the Darfur Contracting Act Certification and submit the completed certification with its proposal.
Attachment 7: Bidder Declaration	The Proposal must complete this form only if the Proposer wishes to claim the DVBE incentive associated with this solicitation.
Attachment 8: DVBE Declaration	The Proposer must complete this form and submit it with their proposal only if Proposer wishes to qualify for the DVBE incentive.

6. PAYMENT INFORMATION

Subject to the terms in Attachment 2, Appendix B, Payment Provisions, the selected provider will be paid on a firm-fixed price per Deliverable basis.

The resulting contract will be comprised of firm fixed pricing for satisfactory completion of each deliverable listed above in Table 2 of Section 2. The actual due dates of each deliverable and the firm fixed amount/Rate will be based on the awarded proposal.

- THE JUDICIAL COUNCIL DOES NOT MAKE ANY ADVANCE PAYMENT FOR SERVICES. The Contractor shall submit invoices to the Judicial Council upon satisfactory completion of services.
- The Judicial Council standard business payment terms are **net sixty (60) days** after receipt of correct invoice.
- No other expenses, including travel expenses, will be reimbursed by the Judicial Council.

7. SUBMISSIONS OF PROPOSALS

- 7.1 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.
- 7.2 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. **To fulfill this requirement, the**

proposer may include a signed cover letter for the Technical Proposal. The technical proposal must be submitted via email to Solicitations@jud.ca.gov. The Proposer must indicate the RFP title and number in the subject line of the submission email and ensure that the RFP title and number are on the Proposal attachments.

- b. The Proposer must submit **an electronic copy** of the Cost Proposal. The proposal must be signed by an authorized representative of the Proposer. **To fulfill this requirement, the proposer may include a signed cover letter for the Cost Proposal.** The Cost Proposal can be submitted in the same email as the Technical Proposal above via email sent to solicitations@jud.ca.gov, but should be a **separate attachment** marked “COST PROPOSAL,” from the technical proposal. The Proposer must indicate the RFP title and number in the subject line of the submission email and ensure that the RFP title and number are on the Proposal attachments.

- 7.3 Submission acceptance will be based on the date and time the emails are received by the Judicial Council of California. Both the Technical and Cost Proposals must be received prior to the due date and time, or the proposal will not be accepted. Due to the potential for email transmission delays, which may cause late receipt and non-acceptance of proposals, **it is recommended that Proposers email their proposals well in advance of the due date and time.**
- 7.4 Late proposals will not be accepted. However, as necessary, the Judicial Council of California may request clarification from Proposers after the submission of proposals.
- 7.5 The Judicial Council of California 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 or contract and does not create any obligation to form a contract. The Judicial Council of California and/or the State of California shall not be responsible for the cost of preparing a proposal. Submitted proposals may be retained for official files and may become a public record.

8. PROPOSAL CONTENTS

- 8.1. 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.
 - 8.1.1. A cover letter containing 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.

- 8.1.2. Name, title, address, telephone number, and email address of the individual who will act as the Proposer's designated representative for purposes of this RFP.
- 8.1.3. Describe the organization of the key staff (including the dedicated program manager) that would service the contract. Provide a listing of the staff, including name, title, and length of service within the organization along with a resume for each staff member. Other staff should be identified by name and title; additional qualifications and experience on similar projects may be included. A separate section covering the Proposer's background, Principal Officers, and Staff Qualifications and Experience is also required.
- 8.1.4. A resume must be provided for each individual proposed to service the contract. An acceptable resume shall include the person's education, any applicable credentials and/or certifications, current work history and a summary of experience and any knowledge to support the preferential skills outlined in Section 2. Description of Services and Deliverables as well as the individual's ability and experience in conducting the proposed activities. Sufficient detail must be included in each resume to allow the JCC to verify the experience cited.
- 8.1.5. Proposed Work Plan based on the Description of Services and Deliverables as defined in Section 2, including a timeframe for the completion of all proposed tasks and deliverables, using the proposed estimated due dates in your proposal.
- 8.1.6. A minimum of two (2) clients may be contacted for whom the Proposer has conducted similar services. References are to include names, addresses, telephone numbers and the email address of a contact person. The JCC staff may contact referenced clients when reviewing an offer to verify the information provided. A reference must be external to a Proposer's organization and corporate structure.
- 8.1.7. Acceptance of the Terms and Conditions of Contract.
 - 8.1.7.1. 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 as noted below. An "exception" includes any addition, deletion, or other modification.
 - 8.1.7.2. 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.

Note: A material exception, as determined by the Judicial Council in its absolute and sole discretion, to any of the terms and conditions (in Attachment 2) may render a proposal non-responsive.

8.1.8. 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 Unruh Certification (**Attachment 5**) and submit the completed certification with its proposal.
- iii. The Proposer must complete the Darfur Contracting Act Certification (**Attachment 6**) and submit the completed certification with its proposal.
- iv. 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. **The Proposer shall provide a copy of their Certificate of Status with the Secretary of State of 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.

Note: Proposer may be required to register with the California Secretary of State if it meets the definition of transacting intrastate business or “doing Business” under the California Corporations Code. As there is no easy definition for what constitutes – even indirectly – “doing Business” in California, proposers with concerns regarding the Secretary of State registration requirements are encouraged to consult with their legal counsel.

You can find out information regarding the steps on how to register a business with the California Secretary of State at:

<https://bizfileonline.sos.ca.gov/>

- v. The Proposer **must** complete the **Payee Data Record form** and submit the completed form with its proposal. Form and instructions are in fillable PDF format available in the following link:

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

- vi. Data Record Supplement STD 205 (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 following link:

<https://www.documents.dgs.ca.gov/dgs/fmc/pdf/std205.pdf>

- vii. Copies of the Proposer’s (and any subcontractors’) **current business licenses**, professional certifications, or other credentials.
- viii. By submitting a proposal, the Proposer certifies that: (i) it is in compliance with economic sanctions imposed pursuant to applicable laws by the U.S. government in response to Russia’s actions in Ukraine, as well as any sanctions imposed under state law (collectively, “Economic Sanctions”); and (ii) it is not a target of Economic Sanctions. If the Council determines that Proposer is not in compliance with Economic Sanctions or is a target of Economic Sanctions, that shall be grounds of rejection of its proposal.

9. COST PROPOSAL.

The following information must be included in the cost proposal:

- i. Proposers may bid on some or all the **eight (8) certified spoken languages** stated in Section 2.5 that they can provide rater and scoring services.
- ii. Proposers may also include bids for rating **Farsi, Portuguese, and Russian** as stated in Section 2.6 above.
- iii. The available funding for the **resulting contract(s)** will not exceed **\$150,000.00 per contract year**, which includes all expenses, as stated in section 2 of this RFP.
- iv. Proposers must provide a **Firm Fixed Amount/Rate** for each deliverable described in Section 2 for **each language they choose to bid on**.

Initial Term: June 1, 2025 – May 31, 2026

Deliverables	Estimated Completion Date	Proposed Firm Fixed Amount/Rate
Deliverable 1: Rater Recruitment Plan		

<p>Deliverable 2: Recruit and Train Raters</p> <ul style="list-style-type: none"> • Recruitment cost per rater • Training cost per rate 		
<p>Deliverable 3: Score Exams</p> <ul style="list-style-type: none"> • Per-exam Cost for scoring • Additional Per-exam Cost for re-rating exam 		
<p>Deliverable 4: Rate Activity Report</p> <p>A Single Set fee for the report deliverable</p>		
<p>Deliverable 5: Year-End Summary Report</p> <p>A Single Set fee for the report deliverable</p>		
<p>Deliverable 6: Ad Hoc Reports (TBD)</p> <p>The Judicial Council may occasionally need ad hoc reports on scoring or other data points. Vendor should individually price the cost of preparation of ad hoc reports.</p>		

First Option Term: June 1, 2026 – May 31, 2027

Deliverables	Estimated Completion Date	Proposed Firm Fixed Cost/Rate
<p>Deliverable 1: Rater Recruitment Plan</p>		
<p>Deliverable 2: Recruit and Train Raters</p> <ul style="list-style-type: none"> • Recruitment cost per rater • Training cost per rater 		
<p>Deliverable 3: Score Exams</p> <ul style="list-style-type: none"> • Per-exam Cost for scoring • Additional Per-exam Cost for re-rating exam 		

<p>Deliverable 4: Rate Activity Report</p> <p>A Single Set fee for the report deliverable</p>		
<p>Deliverable 5: Year-End Summary Report</p> <p>A Single Set fee for the report deliverable</p>		
<p>Deliverable 6: Ad Hoc Reports (TBD)</p> <p>The Judicial Council may occasionally need ad hoc reports on scoring or other data points. Vendor should individually price the cost of preparation of ad hoc reports.</p>		

Second Option Term: June 1, 2027 – May 31, 2028

Deliverables	Estimated Completion Date	Proposed Firm Fixed Cost/Rate
<p>Deliverable 1: Rater Recruitment Plan</p>		
<p>Deliverable 2: Recruit and Train Raters</p> <ul style="list-style-type: none"> • Recruitment cost per rater • Training cost per rater 		
<p>Deliverable 3: Score Exams</p> <ul style="list-style-type: none"> • Per-exam Cost for scoring • Additional Per-exam Cost for re-rating exam 		
<p>Deliverable 4: Rate Activity Report</p> <p>A Single Set fee for the report deliverable</p>		
<p>Deliverable 5: Year-End Summary Report</p> <p>A Single Set fee for the report deliverable</p>		
<p>Deliverable 6: Ad Hoc Reports (TBD)</p>		

<p>The Judicial Council may occasionally need ad hoc reports on scoring or other data points. Vendor should individually price the cost of preparation of ad hoc reports.</p>		
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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.

10. 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.

11. 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 JCC will post an intent to award notice at <https://courts.ca.gov/policy-administration/bidders-solicitations>

CRITERION	MAXIMUM NUMBER OF POINTS
<p>Quality of Proposal submitted: Completeness and inclusion of required information in conformance with the RFP submission requirement; and clarity of the proposal content.</p>	<p>5</p>
<p>Quality of work plan submitted</p>	<p>20</p>
<p>Experience of similar assignments and credentials of staff to be assigned to the project</p>	<p>20</p>
<p>Ability to meet timing requirements to complete the Project</p>	<p>12</p>

CRITERION	MAXIMUM NUMBER OF POINTS
Cost	30
Acceptance of the Terms and Conditions	10
("DVBE") Incentive - Disabled Veterans Business Enterprise incentive is available to qualified proposers. (Section 14)	3
TOTAL POSSIBLE POINTS	100

12. 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 or via emote meeting tools. 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.

13. CONFIDENTIAL OR PROPRIETARY INFORMATION

PROPOSALS ARE SUBJECT TO DISCLOSURE TO THIRD PARTIES AND MEMBERS OF THE PUBLIC PURSUANT TO APPLICABLE LAWS, INCLUDING PUBLIC DISCLOSURE PURSUANT TO RULE 10.500 OF THE CALIFORNIA RULES OF COURT. Except as required by law, the Judicial Council of California 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 may 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 Judicial Council of California's right to disclose information in the proposal, or (b) requiring the Judicial Council of California 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 13.0. **Proposers are accordingly cautioned not to include confidential, proprietary, or privileged information in proposals.**

14. 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 JBE's DVBE Rules and Procedures. Proposer will receive a DVBE incentive if, in the JBE'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 **11** 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 JBE 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 JBE'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 JBE 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 JBE 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 JBE. If the Proposer fails to do so, the JBE 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 JBE 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 JBE shall permanently deduct \$10,000 from the final payment, or the full payment if less than \$10,000.

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.

15. 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.