

RFP Title: Live Scan Fingerprinting Services
RFP Number: HR-2024-01-DM

REQUEST FOR PROPOSALS

JUDICIAL COUNCIL OF CALIFORNIA

REGARDING:

Live Scan Fingerprinting Services
RFP No. HR-2024-01-DM

PROPOSALS DUE:

December 3, 2024, NO LATER THAN 1:00 P.M. PACIFIC TIME

1.0 BACKGROUND INFORMATION

- 1.1 The Judicial Council of California, chaired by the Chief Justice of California, is the chief policy making agency of the California judicial system. The California Constitution directs the council to improve the administration of justice by surveying judicial business, recommending improvements to the courts, and making recommendations annually to the Governor and the Legislature. The council also adopts rules for court administration, practice, and procedure, and performs other functions prescribed by law. The Judicial Council of California is the staff agency for the council and assists both the council and its chair in performing their duties.
- 1.2 Under the direction of the Judicial Council of California and leadership of the Administrative Director, the Judicial Council of California's staff are responsible for a variety of statewide programs and services to further the council's goal of ensuring access to justice.
- 1.3 Within the Judicial Council, the Human Resources office provides human resources services to the Judicial Council and judicial branch entities. These services include classification and compensation, payroll and benefits, talent acquisition, and a number of other human resources-related functions.
- 1.4 A critical aspect of talent acquisition involves ensuring that all staff meet the highest standards of integrity. Given the highly sensitive nature of the work conducted by judicial branch entities, comprehensive background checks are a vital part of the staffing process. Therefore, staffing operations require that investigation into criminal and motor vehicle convictions be conducted through the use of fingerprints on all prospective employees and/or contractors to determine if any past criminal convictions exist.

2.0 DESCRIPTION OF SERVICES AND DELIVERABLES

The Judicial Council of California is requesting proposals from qualified service providers with expertise in providing Live Scan fingerprint imaging services at locations throughout and outside California sufficient to meet the Judicial Council of California's legal requirements when onboarding employees and contractors.

- 2.1 The Contractor shall perform Live Scan fingerprinting imaging services for the employees and contractors of the following state judicial branch entities: Supreme Court of California, Courts of Appeal, California Judicial Center Library, Habeas Corpus Resource Center, Commission on Judicial Performance, and the Judicial Council of California.
- 2.2 The Contractor shall provide a monthly report which includes a list of names of employees and contractors who were fingerprinted, the Live Scan location, and the date fingerprinted, for that month. This report shall be submitted electronically in Excel format to the Judicial Council of California no more frequently than

monthly with the monthly invoice. The Judicial Council of California will then pay the Contractor for employee Live Scan fees.

- 2.3 The Contractor shall maintain a current list of the following information regarding each of the Live Scan operators and physical locations associated with this contract:
- a. Name;
 - b. Service location;
 - c. Service location ID number; and
 - d. Completion date of their training (optional).

The list shall be provided electronically to Judicial Council of California after the contract is awarded and every quarter thereafter. Alternatively, if the Contractor regularly maintains and updates this list on its website, then it will not need to provide quarterly reports to the Judicial Council of California.

- 2.4 The Contractor shall notify the Judicial Council of California immediately if a Live Scan workstation associated with this contract is not operable. The Contractor will ensure that the non-operable Live Scan workstations must be operable within 48 hours of the initial notification to Judicial Council of California.
- 2.5 The Contractor shall notify the Judicial Council of California immediately anytime a Live Scan workstation in any of the Contractor's locations will not be operating during advertised business hours. The Contractor shall provide a telephone number to be posted at the Contractor's location to assist applicants to locate an alternate location and/or reschedule appointment during such closure.
- 2.6 The Contractor must operate a centralized Customer Service Center that provides a fingerprinting services network covering the entire state of California and outside California.
- 2.7 The Contractor shall provide, operate, and maintain a toll-free telephone or online scheduling service for individuals to make appointments to be fingerprinted at Contractor locations.
- 2.8 The Contractor's toll-free telephone or online scheduling service shall, at a minimum, be available during normal business hours (8:00 a.m. to 5:00 p.m. PT, Monday through Friday, except State holidays). A list of judicial branch holidays is available at <https://www.courts.ca.gov/holidays.htm>.
- 2.9 The Contractor shall have a secure website which includes, at a minimum, the following:
- a. A current listing of Live Scan locations and hours of operation;
 - b. Functionality to allow scheduling of appointments online; and
 - c. Fillable and printable fingerprint application forms for Judicial Council of California employees and contractors.

2.10 The Contractor’s Project Manager shall arrange a kick-off meeting with Judicial Council of California representatives after the contract is executed. Topics for this meeting shall include, but not limited to the following:

- a. Scope of work;
- b. Resources;
- c. Schedule;
- d. Roles and responsibilities;
- e. Identify stakeholders and identify subject matter experts;
- f. Project data sheet; and
- g. Future meetings.

The Contractor’s Project Manager shall be present at this meeting.

2.11 The Contractor shall be responsible for the installation, operation, and maintenance and cost of its Live Scan workstations. This includes all network communication lines associated with the capture and transmission of electronic applicant fingerprint records.

The services specified in this RFP are expected to be performed by the selected Proposer for an initial term of 14 months commencing on **April 11, 2025**, and ending on **June 30, 2026**, with four (4) additional one-year option terms through **June 30, 2030**. Each of the option terms may only be exercised at the JCC’s sole discretion.

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	September 24, 2024
Deadline for questions to: Solicitations@jud.ca.gov	October 18, 2024 No later than 1:00 pm (Pacific Time)
Questions and answers posted (<i>estimate only</i>) www.courts.ca.gov/rfps.htm	November 5, 2024
Latest date and time proposal may be submitted to: Solicitations@jud.ca.gov	December 3, 2024 No later than 1:00 PM (Pacific Time)
Evaluation of proposals (<i>estimate only</i>)	December 4, 2024, to January 10, 2025
Notice of Intent to Award (<i>estimate only</i>) www.courts.ca.gov/rfps.htm	January 21, 2025
Negotiations and execution of contract (<i>estimate only</i>)	January 28, 2025, to April 1, 2025

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EVENT	DATE
Contract start date (<i>estimate only</i>)	April 11, 2025
Contract end date (<i>estimate only</i>)	June 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: JBE Standard Terms and Conditions	<p>If selected, the Bidder must have an authorized representative sign this Judicial Council Standard agreement containing these terms and conditions (the “Terms and Conditions”). If any exceptions to the Judicial Council Standard Agreement are identified or additional provisions proposed, the Proposer must also submit a redlined version of the Terms and Conditions with its Proposal that clearly identifies all proposed changes and provides a written explanation or rationale 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>
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.
Payee Data Record Form (STD204) at: https://www.documents.dgs.ca.gov/dgs/fmc/pdf/std204.pdf	This form contains information the JBE requires in order to process payments and must be submitted with the proposal.

<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 STD 204.</p>
<p>Attachment 6: Bidder Declaration</p>	<p>The Proposer must complete this form only if it wishes to claim the disabled veteran business enterprise (DVBE) incentive associated with this solicitation.</p>
<p>Attachment 7: DVBE Declaration</p>	<p>Complete and return this form with the proposal only if Proposer wishes to declare DVBE status.</p>

5.0 PAYMENT INFORMATION

- 5.1 Subject to the terms in Attachment 2, Appendix B, Payment Provisions, the live Scan fingerprint rate of the resulting agreement will be firm fixed rate. The firm fixed rate shall be fully burdened and inclusive of all applicable fees including, but not limited to government fees, rolling fees, personnel, materials, computer support, commissions, travel, lodging, per diem, and overhead rates payable to the Contractor for the Live Scan fingerprint imaging services rendered to the Judicial Council. The Contractor shall not charge, nor shall the Judicial Council pay any overtime rate.
- 5.2 THE JUDICIAL COUNCIL DOES NOT MAKE ANY ADVANCE PAYMENT FOR SERVICES. The Contractor may invoice the Judicial Council of California only after the successful completion and acceptance of the services rendered. Contractor shall charge the Live Scan fingerprint rate at a cost established in the resulting agreement and may not invoice the Judicial Council of California for any costs exceeding the firm fixed rate identified in the resulting agreement to complete the services,
- 5.3 The Judicial Council standard business payment terms are **net sixty (60)** days after receipt of correct invoice.

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 their Technical Proposal as a separate attachment from the Cost Proposal to an email sent to: solicitations@jud.ca.gov.
 - b. The Technical 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 Proposer must indicate the RFP title and number on the subject line of the submission email and ensure that the RFP title and number are on the Proposal attachments.
 - c. The Proposer must submit their Cost Proposal as a separate attachment from the Technical Proposal to an email sent to: solicitations@jud.ca.gov.
 - d. The Cost 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 may be submitted in the same email as the Technical Proposal above, **but should be a separate attachment** marked “Cost Proposal” from the Technical Proposal. The Proposer must indicate the RFP title and number on the subject line of the submission email and ensure that the RFP title and number are on the Proposal attachments.
- 6.3 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.**
- 6.4 Late proposals will not be accepted. However, as necessary, the Judicial Council of California may request clarification from Proposers after the submission of proposals.
- 6.5 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.

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.
- 7.2 The Proposer's name, address, telephone and fax numbers, and federal tax identification number.
- 7.3 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.
- 7.4 Names, addresses, and telephone numbers of a minimum of **three (3) clients** for whom the Proposer has conducted similar services. The JBE may check references listed by the Proposer.
- 7.5 Understanding and Approach (no more than 10 pages)
 - a. The Proposer must provide a narrative description of their understanding of the project's goals, emphasizing their understanding of the objectives and the major activities that must be performed to complete the work. The Proposer should discuss their strategy for providing the services outlined in **Section 2.0**.
 - b. Additionally, proposers must provide a Work Plan that outlines their understanding of the services requested in **Section 2.0** and describe the tasks they intend to perform (in chronological order) to implement these services. The Work Plan must also outline how the Proposer intends to resolve customer issues and develop contingency plans as problems arise.
- 7.6 Organizational Qualifications (no more than three pages)
 - a. The Proposer must describe their overall capability and available resources and provide specific examples, as these factors relate to the general requirements set forth in **Section 2.0**, including the following:
 - i. Total number of fingerprinting services locations within and outside California;
 - ii. Ability to manage the project and the risks involved;
 - iii. Ability to complete projects on time and within budget;
 - iv. Ability to provide quality deliverables; and
 - v. Evidence of experience performing the services outlined in Section 2.0, including the total number of years the Proposer has been providing these services. Familiarity and experience with California state agencies are preferred.
- 7.7 Project Team Qualifications (no more than 10 pages)
 - a. The Proposer must describe the qualifications of each member of the proposed project team and identify the role each member is expected to have, including the experience, education, knowledge, and skills each possesses as they

related to the proposed role. In addition, the Proposer must identify the key staff that will be the points of contact for the Judicial Council of California.

- b. The Proposer must provide a resume of the relevant experience held by each proposed project team member. For each experience cited on a resume, the information must include the following:
 - i. The total duration (i.e., the start month and year, the end month and year, and the total number of years and months); and
 - ii. A description of the specific experience (i.e., a complete description of the relevant experience, including identification of the client, name of the project, roles and responsibilities of the individual, and types of services provided by the individual).

When preparing resumes for submission, the Proposer should only include the individual work experiences that are most relevant to this RFP. Work experiences that are not relevant to this RFP will not be considered by the Judicial Council of California.

7.8 Acceptance of the Terms and Conditions.

- a. 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.
- b. If exceptions are identified, the Proposer must also submit (i) a red-lined version of the Terms and Conditions (**Attachment 2**) 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 may render a proposal non-responsive.

- c. Notwithstanding any other provision in the 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 or different terms and conditions for the agreement prior to agreement execution.

7.9 Certifications, Attachments, and other requirements.

- a. All employees conducting the rolling of fingerprints must possess and maintain a valid [Fingerprint Roller Certification](#) issued by the Department of Justice (DOJ) per PC Section 11102.1(a) California Department of Justice Bureau of Criminal Identification and Information Applicant Communication Network Terms and Conditions for Private Service Providers in California.

- b. The Proposer must comply with all requirements as specified in the [California Department of Justice Bureau of Criminal Identification and Information Applicant Communication Network Terms and Conditions for Private Service Providers in California](#). The Contractor shall provide a copy of this fully executed agreement to Judicial Council of California within 30 calendar days after contract award.
- c. The Proposer must complete the General Certifications Form (**Attachment 4**) and submit the completed form with its proposal.
- d. The Proposer must complete the Darfur Contracting Act Certification (**Attachment 5**) and submit the completed certification with its proposal.
- e. 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/>

- f. 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>
- g. 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>

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 Judicial Council of California 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 the Judicial Council decides to issue an intent to award, the Judicial Council will post an intent to award notice at www.courts.ca.gov/rfps.htm

CRITERION	MAXIMUM NUMBER OF POINTS
Quality of Proposal submitted: Completeness and inclusion of required information in conformance with the RFP submission requirement; and clarity of the proposal content	5
Understanding and Approach	18
Organizational Qualifications	17
Project Team Qualifications	17
Acceptance of the Terms and Conditions	10
DVBE	3
Cost Proposal	30
Total Possible Points	100

10.0 INTERVIEWS

The Judicial Council of California 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, by phone, or remote meeting tools. If conducted in person, interviews will likely be held at the Judicial Council of California's offices. The Judicial Council of California will not reimburse Proposers for any costs incurred in traveling to or from the interview location. The Judicial Council of California will notify eligible Proposers regarding interview arrangements.

11.0 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 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 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 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 6**). 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 7**) 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.

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

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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.