

RFP Title: Digital Asset Management Platform Solution
RFP Number: IT-2023-50-DM

REQUEST FOR PROPOSALS

JUDICIAL COUNCIL OF CALIFORNIA

REGARDING:

Digital Asset Management Platform Solution

RFP No. IT-2023-50-DM

PROPOSALS DUE:

March 5, 2024, NO LATER THAN 1:00 P.M. PACIFIC TIME

1.0 BACKGROUND INFORMATION

The Judicial Council of California (JCC), chaired by the Chief Justice of California, is the policy-making agency of the California judicial branch. 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.

Judicial Council staff produce audio, video, graphics, photographs, documents, and other digital assets across multiple divisions and offices. To ensure the integrity, accessibility, and security of those assets, the council is seeking a digital asset management system that will allow staff to consolidate all digital assets, organize them, and retrieve and integrate them across existing software platforms and workflows.

Current Situation

Files are stored in various services, including Flickr, Granicus, Google Photos, Edge cast, Wistia, Inhouse archive: Judicial Image Library, and on physical media, e.g., CD-ROMs, hard drives, and DVDs.

These files vary in size, and we are looking for a single storage point for all media assets moved into a **vendor hosted offsite cloud-based** digital asset management solution.

2.0 DESCRIPTION OF GOODS

A digital asset management system will allow JCC staff the flexibility and control to efficiently create, upload, access, and share digital assets with other users internally and externally through a centralized, secure location. The JCC's information technology division is seeking a single source for the solution's provider and implementer. The **digital asset management software** should have a user-friendly interface and basic editing capabilities such as cropping, modifying image ratio, etc. The digital asset management system (**DAM**) should also provide user roles and access control that would allow the JCC to organize media files based on different business units and control user access within these units. In addition, the DAM should also have a seamless mechanism to move existing media files from their current storage to the new DAM. The DAM should permit integration with various products such as Drupal and SharePoint, along with plugins and APIs. The scope of these requested services is described in detail in **Exhibit C Scope of Work**.

The goal of this RFP is to establish an agreement for an initial **one-year term**, with **two (2) additional one-year option terms** for a potential maximum term of **three years**. The initial term of the Agreement is anticipated to cover the period of **May 1, 2024 through April 30, 2025, with two additional one-year option terms**. Each of the option terms may only be exercised at the JCC's sole discretion.

The JCC reserves the right to reject any and all proposals, to amend or cancel this RFP, to award an Agreement in whole or in part, and/or to negotiate any or all items with individual Proposers if the JCC determines that doing so is in the JCC’s best interest, or to not award any Agreements based on submitted proposals.

2.1 BUSINESS REQUIREMENTS

The Business and Technical Requirements and Response (**Exhibit A**) describes in detail the activities and services that are required. In the response column, Proposers will provide specific and detailed approaches as to how the Proposer will address each of the activities as listed. Responses should describe how these objectives will be achieved in both the short and the long term. Submission of a version of **Exhibit A** as completed by each Proposer is required as a part of the proposal.

3.0 TIMELINE FOR THIS RFP

The JCC has developed the following list of key events related to this RFP. All dates are subject to change at the discretion of the JCC. It shall be the sole responsibility of prospective Proposers to monitor the website at: www.courts.ca.gov/rfps.htm to ascertain whether the JCC has issued an addendum changing any element of the RFP, including events or key dates.

EVENT	DATE
RFP issued:	February 7, 2024
Deadline for questions to: solicitations@jud.ca.gov	February 20, 2024 By 1:00 pm (Pacific Time)
Questions and answers posted (<i>estimate only</i>) www.courts.ca.gov/rfps.htm	February 23, 2024
Latest date and time proposal may be submitted	March 5, 2024 By 1:00pm (Pacific Time)
Anticipated Interview and Product Demonstrations Dates (<i>Video Conference or In Person, mandatory</i>) (<i>estimate only</i>)	March 7 - 15, 2024 (specific dates & time to be set with individual bidders)
Evaluation of proposals (<i>estimate only</i>)	March 18-22, 2024
Non-Cost proposals scores posted at www.courts.ca.gov/rfps.htm (<i>estimate only</i>)	March 27, 2024
Public opening of cost portion of proposals via Teams Meeting	March 29, 2024 at 10:00 am (Pacific Time)

EVENT	DATE
Meeting Link: Click here to join the meeting Meeting ID: 271 203 071 505 Meeting Password: CojCku Dial in Number: +1 415-906-0569 Phone Conference ID: 541 186 703#	
Notice of Intent to Award (<i>estimate only</i>) www.courts.ca.gov/rfps.htm	April 4, 2024
Negotiations and execution of contract (<i>estimate only</i>)	April 10 – 30, 2024
Contract Start Date (<i>estimate only</i>)	May 1, 2024
Contract end date (initial term, <i>estimate only</i>)	April 30, 2025

4.0 RFP ATTACHMENTS

The following attachments are included as part of this RFP:

ATTACHMENT	DESCRIPTION
Attachment 1: Administrative Rules Governing RFPs (IT Goods and Services)	These rules govern this solicitation.
Attachment 2: Judicial Council Standard Terms and Conditions	<p>If selected, the 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 the Proposer identifies exceptions or proposes additional provisions, the Proposer must also submit a redlined version of the Terms and Conditions (in Microsoft Word format) that (1) clearly identifies the benefit to the judicial branch from the proposed changes and (2) provides a written explanation or rational for each proposed change.</p> <p>Notwithstanding any other provision in this RFP, the JCC 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	DESCRIPTION
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.
Payee Data Record Form (STD204) at: https://www.documents.dgs.ca.gov/dgs/fmc/pdf/std204.pdf	This form contains information the JCC requires in order to process payments and must be submitted with the proposal.
Payee Data Record Supplement (STD 205) at: https://www.documents.dgs.ca.gov/dgs/fmc/pdf/std204.pdf	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.
Attachment 5: Darfur Contracting Act Certification	The Proposer must complete the Darfur Contracting Act Certification and submit the completed certification with its proposal.
Attachment 6: Small Business Declaration	The Proposer must complete this form only if it wishes to claim the small business preference associated with the solicitation.
Attachment 7: Bidder Declaration	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.
Exhibit A: Business & Technical Requirements and Response	Proposer must complete Exhibit A and submit with its proposal. In the response column, Proposers will provide specific and detailed approaches as to how the Proposer will address each of the activities as listed.
Exhibit A1-A4 Evaluation Criteria and Proposal Submission Forms	The Proposer must complete Exhibit A1-A4 and submit the completed copy with its proposal.
Exhibit B – Cost Response	Proposer must complete Exhibit B and submit as part of its cost proposal which should be submitted separately from the technical proposal via email sent to: RFP-IT-2023-50-DM-COSTS@jud.ca.gov

ATTACHMENT	DESCRIPTION
Exhibit C – Scope of Work	The scope of requested services is described in detail in Exhibit C . Proposer must provide details about how its DAM solution will provide the features/functionalities/services stated in Exhibit C and must submit a completed copy of Exhibit C with its proposal.
Exhibit D – Reporting Requirements	A list of the JCC’s required reports of the vendor’s work performed under the Agreement resulting from this RFP

5.0 PAYMENT INFORMATION

- 5.1 Payment shall be made in accordance with **Attachment 2: Judicial Council Standard Terms and Conditions, Appendix B, Pricing and Payment.**
- 5.2 The Judicial Council standard business payment terms are **net sixty (60) days** after receipt of correct invoice.
- 5.3 The Judicial Council may pay annual software subscription in advance upon receipt of an invoice for each authorized 12-month period.

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 on completeness and clarity of content.
- 6.2 The Proposer must submit their proposal electronically in two separate parts, the non-cost portion and the cost portion.
 - A. **Non-Cost Portion.** The Proposer must submit their non-cost portion as a **separate attachment** from the cost proposal to an email sent to: solicitations@jud.ca.gov
 - 1) The non-cost proposal must be signed by an authorized representative of the Proposer.
 - 2) The non-cost proposal must include all components required in **Section 7.1.**

- 3) The Proposer must indicate on the subject line of the submission email the RFP title and number and also indicate the RFP number and title on the proposal attachments.

B. Cost Proposal. The Proposer must submit their cost proposal as an attachment **separate from the non-cost proposal** via email sent to:

RFP-IT-2023-50-DM-COSTS@jud.ca.gov

- 1) The cost proposal must be signed by an authorized representative of the Proposer.
 - 2) The cost proposal must include all components required in **Section 7.2.**
 - 3) The Proposer must indicate on the subject line of the submission email the RFP title and number and also indicate the RFP number and title on the proposal attachments.
- 6.3 Submission acceptance will be based on the date and time the emails are received by the Judicial Council. Both emails must be received prior to the due date and time, or the proposal will not be accepted.
- 6.4 Late proposals will not be accepted. However, as necessary, the Judicial Council may request clarification from Proposers after the submission of proposals. **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.**
- 6.5 The Judicial Council 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, obligation, or contract and in no way is the Judicial Council or the State of California responsible for the cost of preparing the proposal. Submitted proposals may be retained for official files and may become a public record.

7.0 PROPOSAL CONTENTS

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

- a. The Proposer's name, address, telephone and fax numbers, and federal tax identification number.

- b. Name, title, address, telephone number, and email address of the individual who will act as the Proposer's designated contact person for purposes of this RRP.
- c. For each key staff member: a resume describing the individual's background and experience, as well as the individual's ability and experience in conducting the proposed activities.
- d. Names, addresses, and telephone numbers of up to **three (3) clients** for whom the Proposer has conducted similar services. The JBE may check references listed by the Proposer.
- e. Describe how the Proposer intends to meet the project requirements in response to the Description of Goods stated in **Section 2.0** above, including ongoing maintenance, support and training services.
- f. The Proposer must complete **Exhibit A - Business and Technical Requirements and Response, Exhibit A1-A4 - Evaluation Criteria and Proposal Submission Forms, and Exhibit C - Scope of Work**, and submit the completed versions of these exhibits with its proposal.
- g. Acceptance of the Terms and Conditions.
 - i. On **Attachment 3**, the Proposer must check the appropriate box and sign the form. If the Proposer marks the second box, it must provide the required additional materials. An "exception" includes any addition, deletion, or other modification to **Attachment 2** Judicial Council Standard Terms and Conditions.
 - ii. If the Proposer identifies exceptions to **Attachment 2**, the Proposer must also submit as part of its bid (a) a red-lined version of the Judicial Council Standard Terms and Conditions (i.e., the main agreement and all exhibits attached thereto), and (b) a written explanation or rationale for each exception and/or proposed change. A Proposer's failure to include a red-lined draft of the Judicial Council Standard Terms and Conditions may render a Proposer's bid non-responsive.

Note: A material exception (addition, deletion, or other modification) to any of the Judicial Council Standard Terms and Conditions may render a proposal non-responsive. The JCC, in its sole discretion, will determine what constitutes a material exception.
 - iii. Notwithstanding any other provision in this RFP, the Judicial Council reserves the right at its discretion to negotiate any or all terms of any agreement resulting from this RFP with individual Proposers, including

the right to propose or require additional terms and conditions for the agreement prior to agreement execution.

- h. Certifications, Attachments, and other requirements.
 - i. The Proposer must complete the General Certifications Form (**Attachment 4**) and submit the completed form with its proposal.
 - ii. If Proposer is a California corporation, limited liability company (“LLC”), limited partnership (“LP”), or limited liability partnership (“LLP”), proof that Proposer is in good standing in California. If Proposer is a foreign corporation, LLC, LP, or LLP, and Proposer conducts or will conduct (if awarded the contract) intrastate business in California, proof that Proposer is qualified to do business and in good standing in California. **The Proposer shall provide a copy of their Certificate of Status with the Secretary of State of California.** The JCC may verify a Proposer’s status by checking with California's Office of the Secretary of State. If Proposer is a foreign corporation, LLC, LP, or LLP, and Proposer does not (and will not if awarded the contract) conduct intrastate business in California, proof that Proposer 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 “doing business”, it is important for Proposer to carefully evaluate their own connections—even indirect—to California. Proposers with concerns regarding the Secretary of State registration requirements are encouraged to consult with their legal counsel.

You can find information regarding the steps on how to register a business with the California Secretary of State at:
<https://bizfileonline.sos.ca.gov/>

- iii. Proposer must submit the completed Payee Data Record Form (STD204) 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>
- iv. 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 link below:
<https://www.documents.dgs.ca.gov/dgs/fmc/pdf/std205.pdf>

- v. Copies of the Proposer's (and any subcontractors') current business licenses, professional certifications, or other credentials.
- vi. Proof of financial solvency or stability (e.g., balance sheets and income statements).
- vii. The Proposer must complete the Darfur Contracting Act Certification (**Attachment 5**) and submit the completed certification with its proposal.

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

- i. **Exhibit B Cost Response** must be completed and included as a part of the RFP proposal
- ii. Proposer pricing must include all anticipated charges for the DAM system and support maintenance, including, but not limited to (itemized to explain anticipated cost): cost of materials and product and implementation, software update and other setup costs, training, all applicable taxes, overhead, profit, and travel expenses.
- iii. The Proposer's cost proposal (**Exhibit B**) must cover the total cost of:
 - The initial 1-Year term (**billed annually**)
 - First one-year option Term (**billed annually**)
 - Second one-year option Term (**billed annually**)

If multi-year pricing is not available, please provide the maximum annual percentage of increase for each of the option terms.

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 JCC reserves the right to negotiate extensions to this period.

9.0 EVALUATION OF PROPOSALS

The cost portion of proposals will be publicly opened at the date and time noted in Section 3.0, or if such date and time are changed at the discretion of the JCC, an addendum will be posted at: www.courts.ca.gov/rfps.htm for the new date and time.

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

All proposals will be evaluated by a selection committee, using the specific evaluation criteria listed in the table below. Each criterion has been assigned a point value. The evaluation committee will conduct a comprehensive review and analysis of the received proposals and recommend which proposals are the most advantageous to the needs of the organization.

CRITERION	Total Possible points
Cost Overall cost based on the fee structure described in Exhibit B.	50
Quality of Proposal Completeness and inclusion of required information in conformance with the RFP submission requirement, and clarity of proposal content	3
Methodology: Business and Technical aspects Methodology for providing services as set forth in Exhibit A, C and D. The extent to which the Proposer meets the business and technical requirements set forth in this RFP.	15
Organizational Experience Experience of the proposing organization based upon similar work described in the proposal.	12
Acceptance of Terms and Conditions Level of Proposer's acceptance of the Judicial Council's Terms and Conditions	12

Viability of Firm Must demonstrate a stable, long-term viable business entity that provide digital asset management solutions	5
DVBE Incentive	3
Total Possible Points	100

10.0 INTERVIEWS

The JCC may conduct interviews with Proposers to clarify matters set forth in their proposals or to assist in finalizing the ranking of top-ranked proposals. The interview process requires a demonstration. The interviews may be conducted in person or by phone, or remotely. If conducted in person, interviews will likely be held at the JCC’s offices. 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 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 JCC 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 purporting to (a) limit the JCC’s right to disclose information in the proposal, or (b) require the JCC to inform or obtain the consent of the Proposer prior to any 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, as set forth in this Section 11. **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 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 JCC'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 SMALL BUSINESS PREFERENCE

Small business participation is not mandatory. Failure to qualify for the small business preference will not render a proposal non-responsive.

Eligibility for and application of the small business preference is governed by the JCC's Small Business Preference Procedures for the Procurement of Information Technology Goods and Services. The Proposer will receive a small business preference if, in the JBE's sole determination, the Proposer has met all applicable requirements. If the Proposer receives the small business preference, the score assigned to its proposal will be increased by an amount equal to 5% of the points assigned to the highest scored proposal. If a DVBE incentive is also offered in connection with this solicitation, additional rules regarding the interaction between the small business preference and the DVBE incentive apply.

To receive the small business preference, the Proposer must be either (i) a Department of General Services ("DGS") certified small business or microbusiness performing a commercially useful function, or (ii) a DGS-certified small business nonprofit veteran service agency.

If the Proposer wishes to seek the small business preference, the Proposer must complete and submit with its proposal the Small Business Declaration (**Attachment 6**). The Proposer must submit with the Small Business Declaration all materials required in the Small Business Declaration.

Failure to complete and submit the Small Business Declaration as required will result in the Proposer not receiving the small business preference. In addition, the JCC may request additional written clarifying information. Failure to provide this information as requested will result in the Proposer not receiving the small business preference.

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If the Proposer receives the small business preference, (i) the Proposer will be required to complete a post-contract report; and (ii) failure to meet the small business commitment set forth in its proposal will constitute a breach of contract.

FRAUDULENT MISREPRETATION IN CONNECTION WITH THE SMALL BUSINESS PREFERNCE IS UNLAWFUL AND IS PUNISHABLE BY CIVIL PENALTIES. SEE GOVERNMENT CODE SECTION 14842.5.

14.0 PROTESTS

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

(Indicate RFP Number and Name of Your Firm in the subject line of your email.)