

REQUEST FOR PROPOSALS

JUDICIAL COUNCIL OF CALIFORNIA

REGARDING:

RFP Title: Communications Strategy Consultant
RFP number: PA-2025-10-DM

PROPOSALS DUE:

December 8, 2025, NO LATER THAN 1:00 P.M. PACIFIC TIME

1.0 BACKGROUND INFORMATION

- 1.1 Judicial Council of California. 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 The Judicial Council’s core mandate includes expanding access to justice for all Californians. Alongside recent court website improvements and expanded self-help tools, the Judicial Council will undertake a coordinated communications initiative to reintroduce Californians to their courts; clarifying what the courts do, how to access them, and their role in daily life. This effort will continue to build trust and confidence in the courts by highlighting available court resources, demonstrating how courts have evolved to meet current needs, and inviting direct engagement from the public, so the courts are understood as accessible, impartial, and embedded in local communities.

2.0 DESCRIPTION OF SERVICES AND DELIVERABLES

- 2.1 The Judicial Council seeks the services of a consultant with expertise in strategic communications for government. The consultant will lead the design and assist in the execution of a creative messaging campaign for the Judicial Branch based on the theme of “Reintroducing the California Courts to Californians.”
- 2.2 The consultant will work with Judicial Council staff to research and create effective messaging and campaign strategies for the California Courts. Judicial Council staff, other key stakeholder input, and feedback from a representative sample of the California population will be used to inform the creation of messaging and distribution strategy. The goal of this creative messaging campaign is to continue to increase trust in the state judiciary by communicating 1) the Courts are committed to access to justice, and 2) Courts are part of Californian’s local communities.

The successful Proposer will support the Judicial Council in identifying which key messages resonate with specific audiences, as well as determining the most appropriate communication channels to deliver those messages. The consultant’s work should focus on developing and testing messaging strategies that enable the California Courts to communicate effectively and continue to cultivate trust in the Judicial Branch.

The consultant's work will take place in three phases:

- The first phase will consist of conducting baseline research, creating a design brief, and iterative design of creative messaging.
- In the second phase, the consultant will lead a design process testing various approaches to implementing the messaging strategy and informed by iterative testing with Californians. The Judicial Council expects two to three rounds of feedback resulting in a minimum of nine to twelve pieces of exemplar content each designed to resonate with specific audiences in a specific media format.
- The third phase will consist of the consultant guiding and advising Judicial Branch staff on how to adopt the successful messaging strategies in their own communication channels. This includes guidance on how to leverage potential paid, earned, and owned communication platforms. Implementation of distribution strategies will be managed by the Judicial Council. The consultant's work product will be in English. It's acceptable for Phase 2 work to continue simultaneously with Phase 3.
- Finally, the consultant will conclude the engagement by delivering a toolkit for courts interested in adopting the messaging strategies. The toolkit should summarize findings and results from tested messages, creative assets that can be adapted for court use, and lessons learned about effective distribution.

The consultant must ensure all design assets created for the project are transferable to the Judicial Council in platforms and formats that are accessible to the Judicial Council staff. Accessible platforms include but are not limited to:

- Content Generation and Editing: Canva, Tiki-Toki, Google Suite, Microsoft Suite, Drupal, MyEmma, Adobe Acrobat and Flourish.
- Content Hosting: Drupal/Azure, OneDrive, SharePoint, Flickr, Google Photos, Dropbox, and YouTube.

The consultant is expected to have expertise in strategic communications and is expected to have prior experience with the following:

- working with public sector organizations
- placement and distribution of key messaging across print and digital media
- creating a successful statewide public engagement campaign
- audience research, capturing and measuring impact of campaigns on public sentiment
- Familiarity with working on statewide campaigns targeting multiple and diverse audiences, including rural and urban, etc.

The consultant is expected to provide periodic status updates of deliverables to the Project Manager and provide status reports upon request. The consultant (and all staff members working on the project) must work and reside in the United States but can be located in states other than California. They may need to be prepared to occasionally attend in-person meetings or engagements in California. Majority of the work can be done remotely.

2.3 Term of Awarded Agreement

It is the intention of the Judicial Council to award a single contract with a term of approximately **six months** with an *estimated* starting date of **January 20, 2026 through July 20, 2026**. The available funding for work under this project will not exceed **\$150,000.00**, which includes all expenses.

2.4 Deliverables

Deliverable	Description	Estimated Completion Date
1.	Phase 1: Conduct baseline research. Consultant to conduct preliminary research on public attitudes towards the California Courts with representative samples of the California population.	March 10, 2026
2.	Phase 1: Create preliminary design brief. Consultant will create a design brief for the project including goals, scope, and requirements of the project outlined by the Judicial Council.	March 10, 2026
3.	Phase 1: Create creative messaging. Consultant will design a messaging campaign and seek input/feedback from stakeholders. Consultant will provide 3-5 alternative messaging strategies.	March 10, 2026
4.	Phase 1: Refine and finalize creative messaging. Consultant will address key stakeholder feedback and go through two to three rounds of revision until reaching a finalized creative messaging strategy.	March 10, 2026
5.	Phase 2: Create and test exemplar content. Over two to three rounds of iterative testing with the public, a consultant will produce a minimum of nine to twelve unique exemplar content assets finalized for distribution.	April 28, 2026
6.	Phase 3: Guide testing of messaging. Consultant will guide Judicial Council staff on how to distribute exemplar, including best practices for paid placement and use of communication platforms.	July 20, 2026

Deliverable	Description	Estimated Completion Date
7.	Phase 3: Create and conduct evaluation plan. Consultant will monitor and evaluate performance metrics of content distributed over paid, owned, and earned channels.	July 20, 2026
8.	Phase 3: Delivery of Court Communication Toolkit. Consultant creates toolkit for courts summarizing findings and results from tested messages, creative assets that can be adapted for court use, and best practices.	Preliminary: June 23, 2026 Final: July 20, 2026

3.0 TIMELINE FOR THIS RFP

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

EVENT	DATE
RFP issued	November 6, 2025
Pre-proposal Conference (Optional) over Zoom Please see Section 6.0 below for instructions on how to register for the Pre-proposal conference	November 17, 2025 11:30 AM (Pacific Time)
Deadline for questions Solicitations@jud.ca.gov	November 20, 2025 No Later than 1:00 PM (Pacific Time)
Questions and answers posted (estimate only) https://courts.ca.gov/policy-administration/bidders-solicitations	November 25, 2025
Latest date and time proposal may be submitted solicitations@jud.ca.gov	December 8, 2025 No Later than 1:00 PM (Pacific Time)
Anticipated interview dates (<i>estimate only</i>)	December 12 - 16, 2025
Evaluation of proposals (<i>estimate only</i>)	December 17 - 22, 2025
Notice of Intent to Award (<i>estimate only</i>) https://courts.ca.gov/policy-administration/bidders-solicitations	December 23, 2025

EVENT	DATE
Negotiations and execution of contract (<i>estimate only</i>)	January 5, 2026 - January 16, 2026
Contract start date (<i>estimate only</i>)	January 20, 2026
Contract end date (<i>estimate only</i>)	July 20, 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	If selected, the entity submitting a proposal (the “Proposer”) must sign a Judicial Council 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. 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.
Attachment 3: Proposer’s Acceptance of Terms and Conditions	On this form, the Proposer must indicate acceptance of the Terms and Conditions or identify exceptions to the Terms and Conditions.
Attachment 4: General Certifications Form	The Proposer must complete the General Certifications Form and submit the completed form with its proposal.
Attachment 5: Darfur Contracting Act Certification	The Proposer must complete the Darfur Contracting Act Certification and submit the completed certification with its proposal.
Attachment 6: 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 7: Bidder Declaration	The Proposer must complete this form only if wishes to claim the disabled veteran business enterprise (DVBE) incentive associated with this solicitation.
Attachment 8: DVBE Declaration	Each DVBE that will provide goods and/or services in connection with the contract must complete this form. If the Proposer is itself a DVBE, it must also complete and sign the DVBE Declaration.

Payee Data Record Form (STD204) 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.
Payee Data Record Supplement (STD205) https://www.documents.dgs.ca.gov/dgs/fmc/pdf/std205.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.

5.0 PAYMENT INFORMATION

- 5.1 Subject to the terms in Attachment 2, Appendix B, Payment Provisions, payment will be made in the form of a firm fixed amount at completion of each Deliverable.
- 5.2 The firm-fixed amount for each deliverable shall be fully loaded and inclusive of all costs including, but not limited to personnel, materials, computer support, travel, lodging, per diem, fringe benefits, operating expenses, overhead or indirect costs and other costs. Deliverables are specified in Sections 2.4 of this RFP. Contractor shall submit invoices upon satisfactory completion of services.
- 5.3 The Judicial Council standard payment term is Net 60 from date of receipt of invoice or acceptance of Deliverable (s).

6.0 PRE-PROPOSAL CONFERENCE

The Judicial Council will hold a pre-proposal conference to discuss this RFP on the date and time identified in Section 3.0, Timeline for the RFP above. Attendance at the pre-proposal conference is optional; however, proposers are strongly encouraged to attend. Although questions may be responded verbally during the Pre-Proposal Conference, only the Judicial Council’s written responses posted will be official.

The pre-proposal conference will be held remotely over Zoom. If you are interested in attending the pre-proposal conference, please register by sending an email to Solicitations@jud.ca.gov by **November 13, 2025, no later than 1:00 PM (Pacific Time)**. In your email, please include the name(s) of the person(s) who wish to attend and the email address that should receive the Zoom meeting link.

7.0 SUBMISSIONS OF PROPOSALS

- 7.1 Proposals should provide straightforward, concise information that satisfies the requirements of the “Proposal Contents” in Section 8.0 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 proposer 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 Technical Proposal must include all components required in **Section 8.1**. The Proposer must indicate the RFP title and number in the subject line of the email.
 - b. The Proposer must submit an electronic copy of the Cost Proposal. The proposal must be signed by an authorized representative of the Proposer. **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 Cost Proposal must include all components required in **Section 8.2**. The Proposer must indicate the RFP title and number in the subject line of the submission email.
- 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 For the purposes of this RFP, proposals shall be transmitted only by email.
- 7.6 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.

8.0 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.

- a. **Cover Letter.** A cover letter, signed by an authorized representative of the consultant's organization, that introduces the organization's credentials, relevant experience in the areas described in Section 2.2, and what makes their organizations approach effective at meeting the Judicial Councils project goals.
- b. Name, title, address, telephone and fax numbers, email address and federal tax identification number of the individual who will act as the Proposer's designated representative for the purposes of this RFP. 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.
- c. For each key staff member: a resume describing the individual's background and experience, including identifying up to three of their most relevant/recent projects.
- e. Names, addresses, and telephone numbers of a minimum of **three** clients for whom the Proposer has conducted similar services. The Judicial Council may check references listed by the Proposer.
- f. Proposed method to complete the work.
 - i. A project proposal outlining proposed process for completing the work.
 - ii. Proposed research method.
 - iii. Proposal must include a list and description of the proposed 9-12 exemplars the proposer will create to model and test the messaging strategy. Proposers should describe the media formats of their proposed exemplars without confining themselves to a specific topic or message (e.g., social media post template, informational video, short-form social media content, infographic, information brochure, advertisement for public transit, etc.)
 - iv. Proposed metrics to evaluate messaging campaign and content.
 - v. Proposed timeline to achieve completion of all deliverables.
 - vi. Names of core team members and their roles.

- vii. Proposals should include at least one example of a potential exemplar content asset that the consultant might create for this project.
- g. Acceptance of the Terms and Conditions.
 - i. On **Attachment 3**, the Proposer **must** check the appropriate box and sign the form. If the Proposer marks the second box, it must provide the required additional materials. An “exception” includes any addition, deletion, or other modification.
 - ii. If exceptions are identified, the Proposer must also submit (i) a red-lined version of the Terms and Conditions (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 (in Attachment 2) may render a proposal non-responsive.

- h. Certifications, Attachments, and other requirements.
 - i. The Proposer **must** complete the General Certifications Form (**Attachment 4**) and submit the completed form with its proposal.
 - ii. The Proposer **must** complete the Darfur Contracting Act Certification (**Attachment 5**) and submit the completed certification with its proposal.
 - iii. The Proposer **must** complete the Unruh Certification (**Attachment 6**) and submit the completed certification with its proposal.
 - iv. 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 California Secretary of State.** The Council may verify 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 – 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. Copies of the Proposer’s (and any subcontractor’s) **current business licenses**.
- vi. The Proposer **must** complete the Payee Data Record form (**STD204**) 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>
- vii. 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.

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

- i. A detailed line-item budget showing total cost of the proposed services. A full explanation of all budget line items in a narrative entitled “Budget Justification.”
- ii. Proposer must provide a firm fixed amount for each deliverable listed below that includes travel expenses. **Travel expenses will not be reimbursed separately. The available funding for the resulting contract will not exceed \$150,000.00.**

Deliverable	Completed By	Proposed Firm Fixed Amount
Phase 1, Deliverable 1: Conduct baseline research. Consultant to conduct preliminary research on public attitudes towards the California Courts with representative samples of the California population.	March 10, 2026	

Phase 1, Deliverable 2: Create preliminary design brief. Consultant will create a design brief for the project including goals, scope, and requirements of the project outlined by the Judicial Council.	March 10, 2026	
Phase 1, Deliverable 3: Create creative messaging. Consultant will design a messaging campaign and seek input/feedback from stakeholders. Consultant will provide three to five alternative messaging strategies.	March 10, 2026	
Phase 1, Deliverable 4: Refine and finalize creative messaging. Consultant will address key stakeholder feedback and go through two to three rounds of revision until reaching a finalized creative messaging strategy.	March 10, 2026	
Phase 2, Deliverable 5: Create and test exemplar content. Over two to three rounds of iterative testing with the public, a consultant will produce a minimum of nine to twelve unique exemplar content assets finalized for distribution.	April 28, 2026	
Phase 3, Deliverable 6: Guide testing of messaging. Consultant will guide Judicial Council staff on how to distribute exemplar, including best practices for paid placement and use of communication platforms.	July 20, 2026	
Phase 3, Deliverable 7: Create and conduct evaluation plan. Consultant will monitor and evaluate performance metrics of content distributed over paid, owned, and earned channels.	July 20, 2026	
Phase 3 Deliverable 8: Delivery of Court Communication Toolkit. Consultant creates toolkit for courts summarizing findings and results from tested messages, creative assets that can be adapted for court use, and best practices	Preliminary: June 23, 2026 Final: July 20, 2026	
	Total Proposed Amount	

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.

9.0 OFFER PERIOD

A Proposer's proposal is an irrevocable offer for ninety (90) days following the proposal due date. In the event a final contract has not been awarded within this period, the Judicial Council reserves the right to negotiate extensions to this period.

10.0 EVALUATION OF PROPOSALS

At the time proposals are opened, each proposal will be checked for the presence or absence of the required proposal contents specified in **Section 8.0**, Proposal Contents above.

The Judicial Council will evaluate the proposals on a 100-point scale using the criteria set forth in the table below. Award, if made, will be to the highest-scored proposal.

If a contract will be awarded, the Judicial Council will post an intent to award notice at: <https://courts.ca.gov/policy-administration/bidders-solicitations>

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.	4
Proposed method to complete the work	34
Experience on similar assignments	8
Cost	30
Acceptance of the Terms and Conditions	10
Ability to meet timing requirements to complete the project	11
("DVBE") Incentive - Disabled Veterans Business Enterprise incentive is available to qualified proposers.	3
Total Possible Points	100

11.0 INTERVIEWS

The Judicial Council 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 will be conducted virtually or in person. If conducted in person, interviews will likely be held at the Judicial Council's San Francisco offices. The Judicial Council will not reimburse Proposers for any costs incurred in traveling to or from the interview location. The Judicial Council will notify eligible Proposers regarding interview arrangements.

12.0 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 JBE will not disclose (i) social security numbers, or (ii) balance sheets or income statements submitted by a Proposer that is not a publicly-traded corporation. All other information in proposals 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 JBE's right to disclose information in the proposal, or (b) requiring the JBE to inform or obtain the consent of the Proposer prior to the disclosure of the proposal (or portions thereof). Any proposal that is password protected, or contains portions that are password protected, may be rejected. 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 12.0. **Proposers are accordingly cautioned not to include confidential, proprietary, or privileged information in proposals.**

13.0 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 10.0** 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 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.

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 JUDICIAL COUNCIL 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.