

REQUEST FOR PROPOSALS

JUDICIAL COUNCIL OF CALIFORNIA

REGARDING:

**RFP NUMBER—TCAS-2023-01-AJ
EMERGENCY NOTIFICATION SERVICES
(VENDOR HOSTED)**

PROPOSALS DUE:

May 2, 2023, NO LATER THAN 3:00 P.M. PACIFIC TIME

TO: POTENTIAL PROPOSERS

FROM: The Judicial Council of California (JCC), on behalf of the Superior Courts, Appellate Courts, the Supreme Court, and other Judicial Branch Entities (JBE)

DATE: March 22, 2023

SUBJECT / PURPOSE OF MEMO: Request for Proposals (RFP)
The Judicial Council of California (JCC) is conducting this RFP for the benefit of the following California judicial branch entities (JBEs), the Superior Courts of California, Appellate Courts, the Supreme Court, and other Judicial Branch Entities (collectively, “Purchasing Group,” and individually, a “member of the Purchasing Group” or “Purchasing Group member”).

The JCC seeks to enter into a leveraged procurement agreement, also referred to as a “Master Agreement,” with one suitable vendor that can provide Vendor Hosted Emergency Notification Services (ENS).

The Master Agreement awarded from this RFP may be used by any and all JBEs.

The person or entity submitting a proposal (Proposer) entering into a Master Agreement commits to implementing and operating these services for any JBE requesting to engage under a Participation Addendum as set forth in this RFP. The JCC reserves the right to reject any and all proposals, to award the contract in whole or in part, and/or negotiate any or all items with individual Proposers if it is deemed in the JCC’s best interest, or not award any contracts based on submitted proposals.

ACTION REQUIRED: You are invited to review and respond to this RFP as posted on the Judicial Council bid website at:
www.courts.ca.gov/rfps.htm.

Project Title: Emergency Notification Services (ENS).
RFP Number: TCAS-2023-01-AJ

**PROPOSERS'
CONFERENCE:**

A pre-proposal conference will be held via Microsoft Teams:

March 28, 2023, at 10:00 AM (Pacific Time)

**DUE DATE AND TIME
FOR SUBMITTAL OF
QUESTIONS:**

The deadline for submittal of questions pertaining to the solicitation document is: **April 1, 2023**, no later than 3:00 PM (Pacific Time)

**PROPOSAL DUE DATE
AND TIME:**

Proposals must be received by:

May 2, 2023, no later than 3:00 PM. (Pacific Time)

INTERVIEWS/DEMOS:

May 17 and 18, 2023

Will be held on Microsoft Teams from 1:00PM PST to 5:00 PM Pacific Time. One hour will be allotted per vendor. Meeting format to be provided.

RFP Title: Emergency Notification Services
RFP Number: TCAS-2023-01-AJ

Attachments:

- Attachment 1: Administrative Rules Governing RFPs
- Attachment 2: JCC Standard Terms and Conditions
- Attachment 3: Bidder's Acceptance of Terms and Conditions
- Attachment 4: General Certifications Form
- Attachment 5: Small Business Declaration
- Attachment 6: Payee Data Record Form
- Attachment 7: Electronic Funds Transfer Authorization Form
- Attachment 8: Iran Contracting Act Certification
- Attachment 9: Unruh Civil Rights Act and California Fair Employment and Housing Act Certification
- Attachment 10: Darfur Contracting Act Certification
- Attachment 11: DVBE Declaration
- Attachment 12: Bidder Declaration

Exhibits

- Exhibit 1 Cost Proposal Sheet
- Exhibit 2 Proposer's Response Template

1.0 BACKGROUND INFORMATION

- 1.1** The Judicial Council of California, hereinafter referred to as “Judicial Council” or “the council,” chaired by the Chief Justice of California, is the primary 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’s staff assists both Judicial Council and its chair in performing their duties for the purpose of this Request for Proposal (RFP).
- 1.2** The Superior Court system in California comprises fifty-eight (58) trial courts, one in each county. Trial courts provide a forum for resolution of criminal and civil cases under state and local laws. As used within this RFP, the term “trial court” is used synonymously with Superior Court or Court.
- 1.3** This RFP is being issued by the Judicial Council, on behalf of itself, the Supreme Court of California, the Courts of Appeal, the Habeas Corpus Resource Center and the fifty-eight (58) Superior Courts of California, and other Judicial Branch Entities (JBEs) (collectively, “Purchasing Group,” and individually, a “member of the Purchasing Group” or “Purchasing Group member”).
- 1.4** The JCC seeks proposals from highly qualified vendors with expertise in providing hosted emergency notification services, with the services being capable of notifying JBE members individually and/or of a selected group in the event of an emergency. The JBEs will be under no obligation to participate in any resulting Master Agreement or to issue any Work Orders or Purchase Orders under any resulting Master Agreement.
- 1.5** The Judicial Council anticipates awarding one master agreement for an initial three- year term, with two consecutive one-year options to extend for a potential maximum of five years (“Master Agreement”). Each of the two option terms may be exercised at the Judicial Council’s sole discretion. Any resulting contract is estimated to be effective from July 1, 2023, through June 30, 2026.
- 1.6** Through this RFP, the JCC intends to award one leveraged procurement agreement, also referred to as “Master Agreement.” Unless otherwise specifically set forth, any representations, warranties, or certifications made by the person or entity submitting a proposal (Proposer) or potential vendor

pursuant to this RFP are deemed to be made to all of the foregoing entities. Through a Participating Addendum, substantially in the form of the sample Participating Addendum provided in Attachment 2, each JBE may elect, but is not required, to purchase services under a Master Agreement that may be awarded as a result of this RFP.

2.0 DESCRIPTION OF GOODS AND/OR SERVICES

2.1 Scope

The Judicial Council's Emergency Planning and Security Coordination Unit is requesting proposals from highly qualified vendors with expertise in providing emergency notification services for use by the Purchasing Group members. The emergency notification service must enable each Purchasing Group member to immediately distribute an electronic voice or written message simultaneously to one or more individuals as designated by the sender.

Preference will be granted to open services architectures when such a service involves devices or protocols.

2.2 Mandatory Specifications

1. The service must allow users to create and distribute messages via mobile device (e.g., phone or tablet) or Internet at any time, with no restriction on the number of individuals or groups contacted.
2. The service must allow for multiple means of notification (for example: calls to work phone and extension, home phone, mobile phone, text messaging, Telephone Device for the Deaf (TDD) and e-mail).
3. The system must allow for messages to be sent out as audio (phone call), text (SMS), and e-mail.
4. The service must be web-browser-based and not require any software to be installed on users' computer(s).
5. The service must be intuitive and easy to use and must allow Purchasing Group members to create and distribute notifications

quickly from any location.

6. The service must be a hosted, off-site service that operates independently of the Purchasing Group member's infrastructure and must guarantee security of stored data.
7. The service must be backed up at more than one location and have a plan for continuity of service in the event of an emergency at the location where the service is housed.
8. The service must allow the Purchasing Group to add/delete or designate users as active/inactive and/or as Administrator(s). It must manage password creation, maintenance and permissions.
9. The vendor must make 24/7 technical support available to Purchasing Group members and their designated administrator(s) via e-mail and phone number.
10. The vendor must ensure that all customer service issues are resolved in a timely and consistent manner, with a maximum of one hour "Time-to- Respond" (TTR).
11. The service must allow Purchasing Group members to configure and maintain individual and group contact information.
12. The service must support import and export of contact information via delimited text file or current Excel spreadsheet (e.g., CSV file, XLXS file, .TXT file or etc.).
13. The service must allow users to set up and use pre-made message templates or to create messages as needed.
14. The service must allow users the choice of sending messages to individuals or groups simultaneously, *or* in a pre-designated ranked order.
15. The service must make multiple or alternate (retry) connection attempts if a notification does not go through and allow users to require acknowledgement.
16. The service must be able to dial extensions in addition to direct lines and be able to leave complete recorded voicemail messages.
17. The service must offer a real-time, web-based view detailing the overall progress of notifications, receipts (if applicable), and acknowledgements (if applicable) for response purposes.

18. The service must include a reporting feature that tracks and documents notifications, receipts (if applicable), and acknowledgements (if applicable) for auditing, compliance, and debriefing purposes.
19. The service must be regularly updated for compatibility with modern operating systems and web browsers and include prudent security enhancements as needed.
20. The system's data centers, and data storage must be located in the continental United States.
21. The system must allow users to select the type of message, or combination of message types to send.
22. The service must be compatible with the following web browsers, at their most current versions:
 - a. Microsoft Internet Explorer
 - b. Microsoft Edge
 - c. Apple Safari
 - d. Mozilla Firefox
 - e. Google Chrome
23. The service must not require any Active-X, non-default browser extensions that require installation or similar "plug-ins."
24. The service must not require Java (JRE) "applets" or similar.

Optional Specifications

1. The service should provide free apps compatible with the latest version of Apple IOS and Android mobile device (phone/tablet).
2. The service should include Role-Based-Access-Control so that each Purchasing Group member can designate certain administrator(s), power user(s) and general recipients (or similar structure).
3. The service should include a self-service opt-in (subscribe) feature/method/portal.
4. The service should include a self-service opt-out (unsubscribe) feature/method/portal.

5. The service should include a self-service feature/method/portal to allow for subscribers to update relevant contact information (e.g., phone number, email addresses, etc).
6. Application Programmable Interface (API) to allow for integration and/or data exchange(s) between various Purchasing Group system(s) (e.g., HR systems, case management systems, etc.).
7. Message Center or Call-in Number –a toll free number (access code requirement optional) for callers to listen to messages regarding the emergency situation.
8. Personalized Message Center –a personalized message center requiring the use of a PIN, allowing for secure delivery of messages containing confidential information.
9. Conference Call Bridging – the capability to allow for multiple users to be connected on a conference line immediately, if desired by leadership for emergency response.
10. The service should include an optional and adjustable automated reminder feature to help Purchasing Group members ensure timely updates and testing.
11. Hierarchical organization setup to allow for a “head office” to send messages to all or select JBEs while limiting individual purchasing group(s) messaging capabilities to their specific group.
12. Authentication based on external identity management/authentication services (e.g., OAUTH, OAUTH2, Microsoft Azure Identity Management, Microsoft Office 365, etc.).
13. Apple iMessage capabilities.
14. Non-character text (e.g., emoticons/symbols) capabilities.
15. Integration with digital signage solutions (e.g., TV’s, docket displays, etc.).
16. Integration with paging systems.
17. Integration with audio/video systems.
18. Ability to integrate with IP-type push/duress buttons (e.g. Cyberdata SIP Emergency Intercom, or similar).
19. Ability to integrate with Cisco Unified Communications VoIP system(s) Two-factor authentication.

3.0 TIMELINE FOR THIS RFP

The following is a list of key events related to this RFP. All dates are subject to change at the discretion of the JCC.

3.1 Proposed Procurement Schedule

EVENT	DATE
JCC, on behalf of the JBEs, issues RFP	March 22, 2023
<p>Pre-proposal conference call: using the following URL and meeting number,</p> <p>Meeting number:</p> <p>Microsoft Teams meeting Join on your computer, mobile app or room device Click here to join the meeting Meeting ID: 230 637 235 689 Passcode: 2sdWrW Download Teams Join on the web</p> <p>Join with a video conferencing device 178332609@teams.bjn.vc Video Conference ID: 113 330 018 3 Alternate VTC instructions</p> <p>Or call in (audio only) +1 415-906-0569,,856315212# United States, San Francisco Phone Conference ID: 856 315 212# Find a local number Reset PIN Learn More Meeting options</p>	March 28, 2023, 10:00AM-11:00 AM Pacific Time
<p>Deadline for questions submitted to TCSolicitation@jud.ca.gov</p>	April 11, 2023, by 3:00 PM Pacific Time
<p>Questions and answers posted at www.courts.ca.gov/rfps.htm (estimate only)</p>	April 18, 2023

EVENT	DATE
<p>Final proposal due date and time: Non-cost and Cost Proposals are submitted in different mailboxes, please see below:</p> <p>Non-cost Proposal Only must be submitted to- TCSolicitation@jud.ca.gov</p> <p>Cost Proposal Only must be submitted to- TCAS-2023-01-AJ-Cost-Proposals@jud.ca.gov</p>	<p>May 2, 2023, by 3:00 PM Pacific Time</p>
<p>Evaluation of proposals (<i>estimate only</i>)</p>	<p>May 16, 2023</p>
<p>Anticipated interview dates (<i>estimate only</i>) Meeting format to be provided.</p>	<p>May 17-18, 2023 From: 1:00PM-5:00PM Pacific Time. One hour will be allotted per vendor.</p>
<p>Non-Cost scores posted on the JCC website (<i>estimate only</i>)</p>	<p>May 25, 2023</p>
<p>Public cost opening may be viewed via Microsoft Teams at 1:00 p.m. (Pacific Time), using the following URL and meeting number,</p> <p>Meeting number: Microsoft Teams meeting Join on your computer, mobile app or room device Click here to join the meeting Meeting ID: 252 730 673 014 Passcode: Hq2Bm6 Download Teams Join on the web Join with a video conferencing device 178332609@teams.bjn.vc Video Conference ID: 119 259 031 5 Alternate VTC instructions Or call in (audio only) +1 415-906-0569, 175395017# United States, San Francisco Phone Conference ID: 175 395 017#</p>	<p>June 1, 2023, at 1:00 PM Pacific Time</p>

EVENT	DATE
Find a local number Reset PIN Learn More Meeting options	
Notice of Intent to Award (<i>estimate only</i>)	June 8, 2023
Master Agreement executed by this deadline (<i>estimate only</i>)	July 1, 2023

RFP Title: Emergency Notification Services
RFP Number: TCAS-2023-01-AJ

4.0 RFP ATTACHMENTS

The following attachments are included as part of this RFP:

ATTACHMENT	DESCRIPTION
Attachment 1: Administrative Rules Governing RFPs	These rules govern this solicitation.
Attachment 2: Standard Terms and Conditions	If selected, the Proposer must sign a JCC Standard Form Agreement containing terms and conditions substantially in the form of these terms and conditions (the "Terms and Conditions"). If exceptions are identified or additional provisions proposed, the Proposer must also submit a red-lined version of the Terms and Conditions that clearly identifies the benefit to the JCC and the JBEs from the proposed changes and provides a written explanation or rationale for each proposed change.
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 as specified immediately above. Note: Any material exceptions to the Terms and Conditions will result in a negative factor in the evaluation and could render the proposal nonresponsive.
Attachment 4: General Certifications Form	The Proposer must complete the General Certifications Form and submit the completed form with its proposal.
Attachment 5: Small Business Declaration	The Proposer must complete this form only if it wishes to claim the small business preference associated with this solicitation.
Attachment 6: Payee Data Record Form	This form contains information the JCC requires in order to process payments and must be submitted with the proposal.
Attachment 7: Electronic Funds Transfer Authorization Form	This form is used to gather information that is needed to establish an electronic funds transfer program and must be submitted with the proposal.

Attachment 8: Iran Contracting Act Certification	The Proposer must complete the Iran Contracting Act Certification and submit the completed certification with its proposal.
Attachment 9: Unruh Civil Rights Act and FEHA Certification	The Proposer must complete the Unruh Civil Rights Act and California Fair Employment and Housing Act Certification and submit the completed certification with its proposal.
Attachment 10: Darfur Contracting Act Certification	The Proposer must complete the Darfur Contracting Act Certification and submit the completed certification with its proposal.
Attachment 11: Bidder DVBE Declaration	Complete and return this form with the proposal only if Proposer wishes to declare DBVE status.
Attachment 12: Bidder Declaration	Complete and return this form with the proposal only if Proposer wishes to claim the DVBE incentive associated with this RFP.
Exhibit 1: Cost Proposal Sheet	This template is used to obtain detailed pricing for this RFP.
Exhibit 2- Proposer's Response Template	This template is used for Proposer's responses to this RFP.
Attachments 3-11 must be signed by an authorized representative of the Proposer.	

5.0 PAYMENT INFORMATION

5.1 Upgrades Due to Changes in Law

JBEs will not pay an additional amount for software upgrades and modifications that are required due to changes in the laws or regulations. Proposers' proposed costs must include such upgrades and modifications.

5.2 Payment Schedule

- a. Payments shall be made according to payment schedule. The payments must be based on annual subscription pricing identified in the JBE's Participating Addendum.
- b. Payment provisions shall be set forth in Appendix B (Payment Provisions) of Attachment 2, Judicial Council of California Standard Terms and Conditions.

6.0 PRE-PROPOSAL CONFERENCE CALL

The JCC will hold a pre-proposal conference call via Microsoft Teams on the date identified in Section 3.1 of this RFP. Attendance at the pre-proposal conference is optional. Proposers are strongly encouraged to attend.

7.0 SUBMISSIONS OF PROPOSALS

7.1 Proposals should provide straightforward, concise information that satisfies the requirements of the “Proposal Contents” section below. Expensive bindings, color displays, and the like are not necessary or desired. Emphasis should be placed on conformity to the RFP’s instructions and requirements, and completeness and clarity of content.

7.2 Proposal Structure

Proposers should respond to every section of this RFP, all attachments, and all exhibits. Within each section of their proposal, proposers should address the items in the order in which they appear in this RFP. All forms provided in the RFP should be thoroughly completed and included in the appropriate section of the proposal. Vendors may download the original RFP documents from the bid website, www.courts.ca.gov/rfps.htm. These documents will be available in whole as the RFP and individually for review and use.

Non-Cost Portion of the Proposal: When sending electronically, the non-cost portion electronic files must be in searchable PDF, Word, or Excel formats. When submitting proposals electronically, an electronic signature by an authorized representative of the proposer must be included. Electronic signatures may be digital or a scanned image of a handwritten signature that is attached to an electronic document and delivered by electronic means. All electronic signatures shall comply with California Civil Code, title 2.5, sections 1633.1-1633.17 (Uniform Electronic Transactions Act), title 2, sections 22000-22005, and Government Code 16.5. The source Excel file used to prepare responses to Exhibit 2 must also be submitted. The Proposer must submit to the TCSolicitation mailbox (link included in Table 3.1 Proposed Procurement Schedule).

Cost Portion of the Proposal: When sending electronically, the **cost portion** electronic files must be in searchable PDF, Word, or Excel format. The file used to prepare responses to Exhibit 1 must also be submitted. The Proposer must submit to a separate Cost Proposal mailbox (link included in Table 3.1 Proposed Procurement Schedule)

7.3 Proposal Copies

The Proposer must submit its proposal electronically in two parts, the non-cost portion and the cost portion, no later than the due date and time per Section 3.1, Proposed Procurement Schedule, in this RFP.

7.4 Late Proposals

Late proposals will not be accepted.

7.5 Proposal Delivery Methods

The **cost portion** and **non-cost portion** must be sent separately and **received** at the email addresses identified in section 3.1 and no later than the due date and time stated in that section, Proposed Procurement Schedule, in the RFP. Proposals must still be submitted with signatures by the due date and time per Section 3.1 to be considered. Confirm email submissions are successfully delivered by checking the Junk folder for “Undeliverable” emails. Contact the JCC using the TCSolicitation email provided in Section 3.1 if issues arise.

8.0 NON-COST PROPOSAL CONTENT

The following information must be included in the **non-cost portions** of the proposal. A proposal lacking any of the following information may be deemed nonresponsive.

8.1 Proposer Information

The Proposer’s name, address, telephone and fax numbers, and federal tax identification number. Note that if the Proposer is a sole proprietor using his or her social security number, the social security number will be required before finalizing a contract.

If applicable, name, title, address, telephone number, and email address of the individual who will act as the Proposer’s designated representative for purposes of this RFP.

8.2 Information Technology Services

- a. Names, addresses, and telephone numbers of a minimum of three (3) clients for whom the Proposer has provided similar services. The JBE may check references listed by the Proposer.
- b. 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.

- c. 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.
- d. Proposed method to complete the work.
- e. Maintenance Service: including response times for telephone support.
- f. Complete the attached Non-Cost Proposal Exhibit 2, Proposer's Response Template by selecting yes or no to indicate whether an item is included in the proposed system. Use the comment box for each item to provide details.
- g. Provide a narrative detailing the specifics of how and where the system is backed up in different locations.
- h. Provide a narrative detailing the specifics of security measures taken to ensure that data is secure.

8.3 Proposer's Acceptance of the Terms and Conditions.

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.

If exceptions are identified, the Proposer must also submit (a) a red-lined version of the Terms and Conditions that implements all proposed changes, and (b) a written explanation or rationale for each exception and/or proposed change.

The Judicial Council prefers Proposers that will accept the Terms and Conditions without exceptions. Proposer's Acceptance of Terms and Conditions (Attachment 3), including the Standard Form agreement in Attachment 2, shall be an affirmative factor in the evaluation of the Proposal. By contrast, significant exceptions to the Terms and Conditions shall be a negative factor in the evaluation.

Note: A material exception to any language in Attachment 2, JBE Standard Terms and Conditions, will render a proposal non-responsive. The JCC, in its sole discretion, will determine what constitutes a material exception.

8.4 Certifications, Attachments, and other requirements.

- a. The Proposer must complete the General Certifications Form (**Attachment 4**) and submit the completed form with its proposal.
- b. If Contractor is a California corporation, limited liability company (“LLC”), limited partnership (“LP”), or limited liability partnership (“LLP”), proof that Contractor is in good standing in California. If Contractor is a foreign corporation, LLC, LP, or LLP, and Contractor conducts or will conduct (if awarded the contract) intrastate business in California, proof that Contractor is qualified to do business and in good standing in California. If Contractor is a foreign corporation, LLC, LP, or LLP, and Contractor does not (and will not if awarded the contract) conduct intrastate business in California, proof that Contractor is in good standing in its home jurisdiction.
- c. Copies of the Proposer’s (and any subcontractors’) current business licenses, professional certifications, or other credentials.
- d. Proposers Acceptance of the Terms and Conditions. Proposers must complete and provide the Proposers Acceptance of Terms and Conditions (Attachment 3).
- e. Proposer must complete and provide the General Certifications Form (Attachment 4).
- f. Small Business Declaration. Proposer must complete and provide the Small Business Declaration (Attachment 5) only if it wishes to claim the small business preference associated with this solicitation.
- g. Payee Data Record. Proposer must complete and provide the Payee Data Record Form (Attachment 6).
- h. Electronic Funds Transfer Authorization Form. Proposer must complete and provide the Electronic Funds and Transfer Authorization Form (Attachment 7).
- i. Iran Contracting Act. Proposer must complete and provide the Iran Contracting Act Certification (Attachment 8).
- j. Unruh Civil Rights Act and California Fair Employment and Housing Act Certification. Proposer must complete and provide the Unruh Civil Rights Act and California Fair Employment and Housing Act Certification (Attachment 9).

- k. Darfur Contracting Act Certification. Proposer must complete and provide the Darfur Contracting Act Certification (Attachment 10).
- l. Bidder DVBE Declaration. Proposer must complete and provide the Bidder DVBE Declaration (Attachment 11) only if it wishes to claim the DVBE incentive associated with this solicitation.
- m. Bidder Declaration. Proposer must submit a Bidder Declaration (Attachment 12) for each DVBE that will provide goods and/or services in connection with the contract. If Proposer itself is a DVBE, it must also complete and sign the Bidder DVBE Declaration.
- n. Cost Proposal Sheet. Proposer must complete and provide the Cost Sheet (Exhibit 1) along with their proposal.
- o. Proof of financial solvency or stability (e.g., balance sheets and income statements).

9.0 COST PROPOSAL CONTENT

9.1 Cost Portion The following information must be included in the cost portion of the proposal in Exhibit 1, Cost Sheet.

Item Description	Pricing (less tax) Based on Mandatory Specifications (RFP Section 2.2)
Annual Subscription Price (includes service maintenance, support and web-based training costs): Cost per use – number of notifications:	\$ \$
Annual Subscription Price (includes service maintenance, support and web-based training costs): Cost per recipient – unlimited use:	\$ \$
Other Price Plans – list details of price breakdown and what is included:	\$
One-Time Set Up Price (if applicable)	\$
Optional Specifications – Cost of any options offered, including any applicable options listed in this RFP (Section 2.2 - Options):	\$

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.

Pricing for goods and services in the Participating Addendum shall be in accordance with the prices and fees set forth in this Cost Proposal, which shall be incorporated into the executed Leveraged Procurement Agreement as an exhibit. Pricing in any Participating Addendum may not exceed the prices and fees set forth in the Leveraged Procurement Agreement.

10.0 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 JBE reserves the right to negotiate extensions to this period.

11. EVALUATION OF PROPOSALS

The cost portion of proposals will be publicly opened at the date, time and platform stated in Section 3.1, Proposed Procurement Schedule.

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

If a contract will be awarded, the JCC will post an Intent to Award notice on its bid website at www.courts.ca.gov/rfps.htm on the date listed in Section 3.

Category	Factors	Total Possible Points
Cost/ Pricing	Overall cost based on the fee structure described in the proposal Exhibit 1, Cost Proposal.	50
Technical Attributes and Support Services	Degree to which the Proposer can provide the requirements per the RFP.	32
Quality of work plan submitted:	The level of detail demonstrating the degree to which the proposal meets the mandatory (and, if relevant, optional) specifications of the RFP	5
Acceptance of Terms and Conditions	Degree to which the Proposer accepts the JCC Terms and Conditions without exceptions (Attachment 2). Significant exceptions to the Terms and Conditions shall be a negative factor in the evaluation.	10
("DVBE") Incentive Disabled Veterans Business Enterprise incentive is available to qualified proposers.	DVBE incentive points available to qualified vendors.	3

11.1 Non-Cost Portion

At the time proposals are opened, each proposal will be checked for the presence or absence of the required proposal contents. The scores for the non-cost portion of the responsive proposals will be posted on the date listed in Section 3.1 to the JCC bid website at www.courts.ca.gov/rfps.htm.

11.2 Cost Portion

Following the publication of the **Non-Cost Portion** scores, the **Cost Portions** will be opened. The **Cost Portion** of the proposals will be publicly opened via Microsoft Teams on the date and time noted in the Proposed Procurement Schedule in Section 3.1. The cost portion will only be opened and evaluated if the Proposer's non-cost portion is determined to be responsive.

Proposals containing false or misleading statements may be rejected if, in the opinion of the JCC, the information was intended to mislead the state regarding a requirement of the solicitation document.

If a Master Agreement is awarded, JCC staff will post notice of an Intent to Award on the JCC bid website at www.courts.ca.gov/rfps.htm.

12. INTERVIEWS

The JCC may conduct interviews with demonstrations with Proposers to clarify aspects of their proposals. The interviews may be conducted by phone or videoconferencing. Proposers whose proposed services meet the specifications and requirements set forth in this RFP may be asked to provide a demonstration of their proposed services. Any such demonstration will take place via videoconference. The date for the demonstration is set forth in Section 3.1, Proposed Procurement Schedule.

Proposers will not be reimbursed for any costs incurred in providing or attending the live demonstration.

13. CONFIDENTIAL OR PROPRIETARY INFORMATION

Proposals are subject to disclosure pursuant to applicable provisions of the California Public Contract Code and rule 10.500 of the California Rules of Court. The JCC will not disclose (1) social security numbers, or (2) balance sheets or income statements submitted by a Proposer that is not a publicly traded corporation. All other information in proposals will be disclosed in response to applicable public records requests. Such disclosure will be made regardless of whether the proposal (or portions thereof) is marked "confidential,"

“proprietary,” or otherwise, and regardless of any statement in the proposal (1) purporting to limit the JCC’s right to disclose information in the proposal or (2) requiring the JCC to inform or obtain the consent of the Proposer prior to the disclosure of the proposal (or portions thereof). Any proposal that is password protected, or contains portions that are password protected, may be rejected. **Proposers are accordingly cautioned not to include confidential, proprietary, or privileged information in proposals.**

14. DISABLED VETERAN BUSINESS ENTERPRISE INCENTIVE

14.1 Qualification Not Mandatory

Qualification for the DVBE incentive is not mandatory. Failure to qualify for the DVBE incentive will not render a proposal nonresponsive.

14.2 DVBE Point Award

Eligibility for and application of the DVBE incentive is governed by the JCC’s DVBE Rules and Procedures. Proposer will receive a DVBE incentive if, in the sole determination of JCC staff, Proposer has met all applicable requirements. If Proposer receives the DVBE incentive, points will be added to the score assigned to Proposer’s proposal. The number of points that will be added is specified in Section 11, above.

14.3 Eligibility

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”).

14.4 Process

If Proposer wishes to seek the DVBE incentive:

- Proposer must complete and submit with its proposal the Bidder DVBE Declaration (Attachment 11). Proposer must also submit all materials required in the Bidder DVBE Declaration
- Proposer must submit with its proposal a Bidder Declaration (Attachment 12) completed and signed by each DVBE that will provide services in connection with the contract. If Proposer is itself a DVBE, it must also complete and sign the DVBE Declaration. If Proposer will use DVBE subcontractors, each DVBE subcontractor must complete and sign a DVBE Declaration. Note: The Bidder Declaration is not required if Proposer will qualify for the DVBE incentive using a business utilization plan on file with the Department of General Services.

14.5 Failure to Complete Forms

Failure to complete and submit these forms as required will result in Proposer not receiving the DVBE incentive. In addition, the JCC may request additional written clarifying information. Failure to provide this information as requested will result in Proposer not receiving the DVBE incentive.

14.6 Application of DVBE Incentive

If this solicitation is for information technology 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.

14.7 Meeting DVBE Commitments

If Proposer receives the DVBE incentive: (1) Proposer will be required to complete a post-contract DVBE certification if DVBE subcontractors are used; (2) Proposer must use any DVBE subcontractor(s) identified in its proposal unless the JCC approves in writing the substitution of another DVBE; and (3) 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/JBCMPost-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 MISREPRESENTATION IN CONNECTION WITH THE DVBE INCENTIVE IS A MISDEMEANOR AND IS PUNISHABLE BY IMPRISONMENT OR FINE, AND VIOLATORS ARE LIABLE FOR

CIVIL PENALTIES. SEE MILITARY AND VETERANS CODE SECTION 999.9.

15. SMALL BUSINESS PREFERENCE

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

15.1 Small Business Enterprise (SBE) Incentive

Eligibility for and application of the small business preference is governed by the JBE'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.

15.2 Qualification

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.

15.3 Process

If the Proposer wishes to seek the small business preference, the Proposer must complete and submit with its proposal the Small Business Declaration (Attachment 5). The Proposer must submit with the Small Business Declaration all materials required in the Small Business Declaration.

15.4 Failure to Complete Forms

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 JBE may request additional written clarifying information. Failure to provide this information as requested will result in the Proposer not receiving the small business preference.

15.5 Meeting SBE Commitments

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.

16. PROTESTS

Any protests will be handled in accordance with Chapter 7 of the Judicial Branch Contract Manual (see www.courts.ca.gov/documents/jbcl-manual.pdf). Failure of a Bidder 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.

Protests should be sent to:

Judicial Council of California
Branch Accounting and Procurement,
Administrative Division
Attn: Protest Hearing Officer, RFP Number: TCAS-2023-01-AJ-
Emergency Notification Services for the Judicial Branch Entities of
California
2850 Gateway Oaks, Suite 300
Sacramento, CA 95833-4348

The deadline for the JCC to receive a solicitation specifications protest is May 2, 2023.