

RFP Title: CARE ACT, SERIOUS MENTAL ILLNESS, AND DE-ESCALATION
TRAINING
RFP Number: CFCC-2024-48-SB

REQUEST FOR PROPOSALS

JUDICIAL COUNCIL OF CALIFORNIA

**REGARDING: CARE ACT, SERIOUS MENTAL ILLNESS,
AND DE-ESCALATION TRAINING**

RFP NUMBER: CFCC-2024-48-SB

**PROPOSALS DUE: MAY 1, 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 (“Judicial Council”), chaired by the Chief Justice of California, is the chief policy making agency of the California judicial system. The California Constitution directs the Judicial 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 Judicial Council also adopts rules for court administration, practice, and procedure, and performs other functions prescribed by law. The Judicial Council’s Court Operations and Services Division, Center for Families, Children & the Courts (“CFCC”) supports programs in court settings that improve practice and services for children, youth, parents, families, and other court users.
- 1.2 Community Assistance, Recovery, and Empowerment Act. The Judicial Council’s Center for Families, Children & the Courts is responsible for implementation of the Community Assistance and Recovery Act (CARE Act) in the California trial courts. The CARE Act authorizes specified adult persons to petition a civil court to create a voluntary CARE agreement or a court-ordered CARE plan that can include treatment, housing support, and other services for persons with schizophrenia or other psychotic disorders.
- 1.3 CARE Act, Serious Mental Illness, and De-escalation Training. The training will improve the ability of court staff to assist, accommodate, and provide court services to individuals with serious mental illness; provide tools and techniques to empower court staff to assist individuals in crisis and to deescalate tense situations with court users; and facilitate hands-on learning through interactive scenarios and hypotheticals.

2.0 DESCRIPTION OF SERVICES AND DELIVERABLES

2.1 Introduction:

The Judicial Council seeks the services of one or more person(s) or Entity(s) with expertise in working with individuals with serious mental illness and de-escalation, to develop and deliver three, in-person training sessions to court staff working with potential CARE Act participants and their family members.

The contractor(s) will be expected to develop and deliver curriculum that supports all of the following:

1. Legally accurate and current, including incorporating changes in the law and court forms, as appropriate.

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2. Presented by individuals with subject matter expertise in the areas they are presenting on. Contractor may subcontract with other experts to serve as presenters, as needed, with approval by Judicial Council Staff.
3. Include a written curriculum outline, agenda, slide deck, and additional resources for the training. Contractor will meet regularly with Judicial council staff to review and vet curriculum, materials, and other content.
4. Include a description of any technological requirements to support the delivery of the training.

Session requirements:

1. Provide three, full-day in-person trainings with 30-45 participants in each.
2. Deliver training once in each of the following regions: Greater Los Angeles, Greater Bay Area, Greater Sacramento.
3. Sessions must use the same material in each.
4. Each session will be designed to:
 - a. Improve the ability of court staff to assist, accommodate, and provide court services to individuals with serious mental illness.
 - b. Provide tools and techniques to empower staff to assist individuals in crisis and to deescalate tense situations with court users.
 - c. Facilitate hands-on learning through interactive scenarios and hypotheticals.

2.2 General Scope of Services Requirements

- 2.2.1 Contractor will meet regularly with the Judicial Council and keep them updated on the progress of training development and delivery.

Contractor will consult on and create culturally appropriate training and resources for a full-day training. The training and materials must cover the following topics:

- 1) Summary of what the CARE Act is and is not.
- 2) Brief overview on serious mental illness, including contributing factors and features of schizophrenia.
- 3) Active listening skills.
- 4) Self-care.
- 5) Resources, referral list, and tips for creating connection with county behavioral health.

Contractor will utilize the following teaching modalities to provide educational content:

- 1) Example scenarios for court staff.
- 2) Interactive roleplay.

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- 2.2.2 The contractor will provide this live training three times in locations chosen in consult with the Judicial Council.
- 2.2.3 The successful bidder(s) will either be subject matter experts in the topic or able to secure subject matter experts in the areas listed above. Further, the successful bidder(s) will have expertise in providing educational programs to attorneys and court staff.
- 2.2.4 Contractor(s) may use its pre-existing proprietary or licensed third-party materials that were created independently of the resulting agreement (“Contractor IP”) as part of the Curriculum. Judicial Council may request modifications of Contractor IP (and if using licensed third-party materials, to the extent allowed by such license), which include but are not limited to updating case law. Judicial Council may also request Contractor to create new material based the legal research performed by Contractor.
- 2.2.5 The training will include the creation of: (i) Training Outline; (ii) Training Plan; and (iii) Interactive Presentation Materials, which will be reviewed for content and accuracy by Judicial Council’s Project Manager.
- 2.2.6 Training dates and times may be changed by written amendment by both parties.
- 2.2.7 Prior to the first live training, the contractor will develop the Training Plan and Interactive Presentation Materials. Draft Training Plan and Interactive Presentation Materials must be completed and submitted to the Judicial Council’s Project Manager for approval four (4) weeks prior to scheduled training event, and the final drafts must be completed and submitted to Judicial Council’s Project Manager for approval one (1) week prior to scheduled training. The final draft of Interactive Presentation Materials must be sent to the training participants the day before the training event.
 - 2.2.7.1 Training Plan: A written, detailed lesson plan that includes the agenda of the training, course description, objectives of the training, and the training activities such as the content of the training. Training Plans should include materials used for the training.
 - 2.2.7.2 Interactive Training Materials: PowerPoint or another interactive training aide will be used during the training, which will include relevant training curriculum content. One or more document(s) that will be distributed to training participants, such materials may include materials Training Plan or other relevant materials.
- 2.2.8 Tasks and Deliverables

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2.2.8.1 **Deliverable 1:** Meet with Judicial Council staff to review the training content and to explain Service and Deliverable acceptance criteria to Contractor. At this meeting, the content of the training will be discussed along with the timeline and locations for the trainings. Contractor Project Manager and key personnel identified to develop the training must attend the meeting. Contractor will disseminate notes after the meeting to Judicial Council staff. **Estimated Due Date: By June 30, 2025.**

2.2.8.2 **Deliverable 2: Curriculum Outline:** Develop and complete Curriculum Outline for the training, including court description and learning objectives in conjunction with Judicial Council staff. A written outline including the training topics shall include high-level overview of the content; course description; list of proposed faculty and subject matter experts; learning objectives; mode, method and format of delivering training content; and proposed materials to use for the training. **Estimated Due Date: By July 31, 2025.**

2.2.8.3 **Deliverable 3 – First full-day in-person training.** Development of curriculum and delivery of content. Development of curriculum will include the creation of: (i) Training Plan; and (ii) Interactive Presentation Materials, which will be reviewed for content and accuracy by Judicial Council’s Project Manager. Delivery of curriculum is providing the developed training to a live audience in person. **Estimated Due Date: By September 30, 2025.**

2.2.8.4 **Deliverable 4 – Second and third full-day in-person training.** Delivery of curriculum is providing the developed training to a live audience in person. **Estimated Due Date: By December 31, 2025.**

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:	April 1, 2025
Deadline for written questions to solicitations@jud.ca.gov	April 14, 2025 No Later than 1:00 pm (Pacific Time)

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EVENT	DATE
Questions and answers posted (<i>estimate only</i>) https://courts.ca.gov/policy-administration/bidders-solicitations	April 17, 2025
Latest date and time proposal may be submitted: solicitations@jud.ca.gov	May 1, 2025 No Later than 1:00 pm (Pacific Time)
Evaluation of proposals (<i>estimate only</i>)	May 2 – 12, 2025
Notice of Intent to Award (<i>estimate only</i>) https://courts.ca.gov/policy-administration/bidders-solicitations	May 12, 2025
Negotiations and execution of contract (<i>estimate only</i>)	May 17 - 30, 2025
Contract start date (<i>estimate only</i>)	June 15, 2025
Contract end date (<i>estimate only</i>)	December 31, 2025

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.

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ATTACHMENT	DESCRIPTION
<p>Attachment 2: Judicial Council Standard Terms and Conditions</p>	<p>If selected, the entity submitting a proposal (the “Proposer”) must sign a Judicial Council of California Standard Agreement containing these terms and condition (the “Terms and Conditions”). If exceptions are identified or additional provisions proposed, the Proposer must also submit a redlined version of the Terms and Conditions that clearly identifies the benefit to the Judicial Branch from the proposed changes and provides a written explanation or rational for each proposed change.</p> <p>Notwithstanding any other provision in this RFP, the Council reserves the right at its discretion to negotiate any or all items with individual Proposers, including the right to propose or require additional terms and conditions for the agreement prior to agreement execution.</p>
<p>Attachment 3: Proposer’s Acceptance of Terms and Conditions</p>	<p>On this form, the Proposer must indicate acceptance of the Terms and Conditions or identify exceptions to the Terms and Conditions.</p>
<p>Attachment 4: General Certifications Form</p>	<p>The Proposer must complete the General Certifications Form and submit the completed form with its proposal.</p>
<p>Payee Data Record Form (STD204) at: https://www.documents.dgs.ca.gov/dgs/fmc/pdf/std204.pdf</p>	<p>This form contains information the Judicial Council requires in order to process payments and must be submitted with the proposal.</p>
<p>Payee Data Record Supplement (STD205) at: https://www.documents.dgs.ca.gov/dgs/fmc/pdf/std205.pdf</p>	<p>This form is optional. This form is used to provide remittance address information if different than the mailing address on the STD 204 – Payee Data Record. Use this form to provide additional remittance addresses and additional Authorized Representatives of the Payee not identified on the STD 204.</p>
<p>Attachment 5 Unruh Civil Rights Act and California Fair Employment and Housing Act</p>	<p>The Proposer must complete the Unruh Civil Rights Act and California Fair Employment and Housing Act and submit the completed certification with its proposal.</p>
<p>Attachment 6 Darfur Contracting Act Certification</p>	<p>The Proposer must complete the Darfur Contracting Act Certification and submit the completed certification with its proposal.</p>

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ATTACHMENT	DESCRIPTION
Attachment 7: Bidder Declaration	The Proposal must complete this form only if the Proposer wishes to claim the DVBE incentive associated with this solicitation.
Attachment 8: DVBE Declaration	The Proposer must complete this form and submit it with their proposal only if Proposer wishes to qualify for the DVBE incentive.

5.0 PAYMENT INFORMATION

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

5.2 The resulting contract will be comprised of firm fixed pricing for satisfactory completion of each deliverable. The actual completion dates and firm fixed amounts will be based on the awarded proposal.

5.2.1 No other expenses including travel expenses will be reimbursed by the Judicial Council.

5.2.2 The Judicial Council does not make any advance payment for services. The contractor shall invoice the Judicial Council of California only after the successful completion and acceptance of the services rendered.

5.2.3 Payment will be made after completion and acceptance of deliverables.

5.2.4 The Judicial Council standard business payment terms are net **sixty (60)** days after receipt of correct invoice.

6.0 SUBMISSIONS OF PROPOSALS

6.1 Proposals should provide straightforward, concise information that satisfies the requirements of the “Proposal Contents” section below. Emphasis should be placed on conformity to the RFP’s instructions and requirements, and completeness and clarity of content.

6.2 The Proposer must submit its proposal in two parts, the technical proposal and the cost proposal.

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

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- b. The Proposer must submit **an electronic copy** of the Cost Proposal. The proposal must be signed by an authorized representative of the Proposer. To fulfill this requirement, the proposer may include a signed cover letter for the Cost Proposal. The Cost Proposal can be submitted in the same email as the Technical Proposal above via email sent to solicitations@jud.ca.gov, but should be a **separate attachment** marked “**COST PROPOSAL**,” from the technical proposal. The Proposer must indicate the RFP title and number in the subject line of the submission email and ensure that the RFP title and number are on the Proposal attachments.
- 6.3 Submission acceptance will be based on the date and time the emails are received by the Judicial Council of California. Both the Technical and Cost Proposals must be received prior to the due date and time, or the proposal will not be accepted. Due to the potential for email transmission delays, which may cause late receipt and non-acceptance of proposals, **it is recommended that Proposers email their proposals well in advance of the due date and time.**
- 6.4 Late proposals will not be accepted. However, as necessary, the Judicial Council of California may request clarification from Proposers after the submission of proposals.
- 6.5 The Judicial Council of California reserves the right to reject any and all proposals, in whole or in part, as well as the right to issue similar RFPs in the future. This RFP is in no way an agreement or contract and does not create any obligation to form a contract. The Judicial Council of California and/or the State of California shall not be responsible for the cost of preparing a proposal. Submitted proposals may be retained for official files and may become a public record.

7.0 PROPOSAL CONTENTS

- 7.1 Technical Proposal. The following information must be included in the technical proposal. A proposal lacking any of the following information may be deemed non-responsive.
 - a. A cover letter containing proposer’s name, address, telephone number, 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.
 - b. 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.

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- c. Describe the organization of the key staff (including the dedicated program manager) that would service the contract. Provide a listing of the staff, including name, title, and length of service within the organization along with a resume for each staff member. Other staff should be identified by name and title; additional qualifications and experience on similar projects may be included.
- d. A resume must be provided for each individual proposed for this Agreement. An acceptable resume shall include the person's education, any applicable credentials and/or certifications, current work history and a summary of experience and knowledge to support the qualifications of key personnel outlined in **Section 2.2** as well as the individual's ability and experience in conducting the proposed activities. Sufficient detail must be included in each resume to allow the JCC to verify the experience cited. A separate section covering the Proposer's background, Principal Officers, and Staff Qualifications and Experience.
- e. A minimum of two (2) clients may be contacted for whom the Proposer has conducted similar services. References are to include names, addresses, telephone numbers and the email address of a contact person. The JCC staff may contact referenced clients to verify the information provided. A reference must be external to a Respondent's organization and corporate structure.
- f. Provide Work Plan based on description of Tasks and Deliverables as defined in **Section 2.2.8.** and the proposed method to complete the work.
 - i. Project plan that outlines the proposed approach, using the general deadlines specified within this RFP.
 - ii. Sample outline of curriculum development
 - iii. Sample learning objectives.
 - iv. Sample evaluations, including any continuing education credits that will be given.
 - v. Sample timeline for curriculum development, including any interactive and adult learning principles that will be used.
- 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 as noted below. 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 that implements all proposed changes, and (ii) a written explanation or rationale for each exception and/or proposed change.

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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 Unruh Certification (**Attachment 5**) and submit the completed certification with its proposal.
 - iii. The Proposer must complete the Darfur Contracting Act Certification (**Attachment 6**) and submit the completed certification with its proposal.
 - iv. If Contractor is a California corporation, limited liability company (“LLC”), limited partnership (“LP”), or limited liability partnership (“LLP”), proof that Contractor is in good standing in California. **The Proposer shall provide a copy of their Certificate of Status with the Secretary of State of California.** If Contractor is a foreign corporation, LLC, LP, or LLP, and Contractor conducts or will conduct (if awarded the contract) intrastate business in California, proof that Contractor is qualified to do business and in good standing in California. If Contractor is a foreign corporation, LLC, LP, or LLP, and Contractor does not (and will not if awarded the contract) conduct intrastate business in California, proof that Contractor is in good standing in its home jurisdiction.

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

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

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

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

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

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- vi. Data Record Supplement STD 205 (if applicable). STD 205 is optional, and it is required only if the remittance address information is different than the mailing address on the STD 204 form. Form and instructions are in fillable PDF format available in the following link:

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

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

7.2 Cost Proposal

The following information must be included in the cost proposal:

- i. Proposer to provide a detailed line-item budget for each deliverable described in Section 2.2.8 and the total costs for the entire project should be within the range of **\$30,000**.
- ii. A “not to exceed” total for all work and expense payable under the contract, if awarded.

Deliverable(s) Description	Estimated Completion Date	<i>Proposed</i> Firm Fixed Amount
First Deliverable: Meet with Judicial Council staff about this project.	June 30, 2025	<i>\$3,000</i>
Second Deliverable: Design and develop the Curriculum Outline.	July 31, 2025	<i>\$6,000</i>
Third Deliverable: First full day in-person regional CARE Act De-escalation Training.	September 30, 2025	<i>\$8,000</i>
Fourth Deliverable: Deliverable 4 – Second and third full day in-person regional CARE Act De-escalation Trainings.	December 31, 2025	<i>\$13,000</i>

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NOTE: It is unlawful for any person engaged in business within this state to sell or use any article or product as a “loss leader” as defined in Section 17030 of the Business 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

At the time proposals are opened, each proposal will be checked for the presence or absence of the required proposal contents.

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

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

CRITERION	MAXIMUM NUMBER OF POINTS
Quality of Proposal submitted: Completeness and inclusion of required information in conformance with the RFP submission requirement; and clarity of the proposal content	5
Quality of work plan submitted	17
Experience on similar assignments	20
Cost	30
Qualifications of staff to be assigned to project based on resumes submitted including experience, background, expertise, and credentials if any	10
Acceptance of the Terms and Conditions	10
Ability to meet timing requirements to complete the project	5
(“DVBE”) Incentive Disabled Veterans Business Enterprise incentive is available to qualified proposers. (Section 12.0)	3

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CRITERION	MAXIMUM NUMBER OF POINTS
Total Possible Points	100

10.0 INTERVIEWS

The JCC may conduct interviews with Proposers to clarify aspects set forth in their proposals or to assist in finalizing the ranking of top-ranked proposals. The interviews may be conducted by phone or remote meeting tools. If there's a need to clarify any portion of the Proposer's proposal, the JCC will notify Proposer regarding interview arrangements.

11.0 CONFIDENTIAL OR PROPRIETARY INFORMATION

PROPOSALS ARE SUBJECT TO DISCLOSURE TO THIRD PARTIES AND MEMBERS OF THE PUBLIC PURSUANT TO APPLICABLE LAWS, INCLUDING PUBLIC DISCLOSURE PURSUANT TO RULE 10.500 OF THE CALIFORNIA RULES OF COURT.

Except as required by law, the Judicial Council of California will not disclose (i) social security numbers, or (ii) balance sheets or income statements submitted by a Proposer that is not a publicly-traded corporation. All other information in proposals may be disclosed in response to applicable public records requests, or as otherwise required by law. Such disclosure may be made regardless of whether the proposal (or portions thereof) is marked "confidential," "proprietary," "copyright ©," or otherwise, and regardless of any statement in the proposal (a) purporting to limit the Judicial Council of California's right to disclose information in the proposal, or (b) requiring the Judicial Council of California to inform or obtain the consent of the Proposer prior to the disclosure of the proposal (or portions thereof). Any proposal that is password protected, or contains portions that are password protected, may be rejected. Submission of any proposal pursuant to this RFP constitutes acknowledgment and consent by the Proposer to the potential public disclosure of its proposal content, pursuant to this Section 11.0. **Proposers are accordingly cautioned not to include confidential, proprietary, or privileged information in proposals.**

12.0 DISABLED VETERAN BUSINESS ENTERPRISE INCENTIVE

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

Eligibility for and application of the DVBE incentive is governed by the JBE's DVBE Rules and Procedures. Proposer will receive a DVBE incentive if, in the JBE's sole determination, Proposer has met all applicable requirements. If Proposer receives the

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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 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.

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When a Proposer fails to comply with the post-contract certification requirement in this section and a payment withhold is applied to a contract, the JBE shall allow the Proposer to cure the deficiency after written notice. Notwithstanding the foregoing or any other law, if after at least 15 calendar days, but no more than 30 calendar days, from the date of the written notice the Proposer refuses to comply with the certification requirements, the JBE shall permanently deduct \$10,000 from the final payment, or the full payment if less than \$10,000.

FRAUDULENT MISREPRETATION IN CONNECTION WITH THE DVBE INCENTIVE IS A MISDEMEANOR AND IS PUNISHABLE BY IMPRISONMENT OR FINE, AND VIOLATORS ARE LIABLE FOR CIVIL PENALTIES. SEE MVC 999.9.

13.0 PROTESTS

Any protests will be handled in accordance with Chapter 7 of the Judicial Branch Contracting Manual (see <https://courts.ca.gov/system/files/file/jbcl-manual.pdf>). Failure of a Proposer to comply with the protest procedures set forth in that chapter will render a protest inadequate and non-responsive, and will result in rejection of the protest. The deadline for the Judicial Council of California to receive a solicitation specifications protest is the proposal due date. In order to be considered valid, all such protests must be submitted by email to: solicitations@jud.ca.gov and must indicate the Solicitation Number and Name of Your Firm in the subject line of your email.