

RFP Title: Tribal Dependency Representation Distance and E-Learning Resources
for Center for Families, Children & the Courts
RFP Number: CFCC25-189RB

REQUEST FOR PROPOSALS

JUDICIAL COUNCIL OF CALIFORNIA

REGARDING:

**Tribal Dependency Representation Distance and E-Learning
Resources for Center for Families, Children & the Courts**

RFP No. CFCC25-189RB

PROPOSALS DUE:

FEBRUARY 28, 2025, NO LATER THAN, AT 1:00 P.M. PACIFIC TIME

1.0 BACKGROUND INFORMATION

- 1.1 The Judicial Council of California, chaired by the Chief Justice of California, is the policy-making body for the California court system. The California Constitution directs the Judicial Council to improve the administration of justice by surveying judicial business and recommending improvements to the courts; and adopting rules for court administration.
- 1.2 The Center for Families, Children, and the Courts (CFCC) is an office within the Judicial Council. The CFCC is dedicated to improving the quality of justice and services to meet the diverse needs of children, youth, and families. To that end, CFCC develops and provides education for multidisciplinary audiences, including judges, court staff, attorneys, social workers, probation officers and self-represented litigants,
- 1.3 The Judicial Council intends to award one (1) or more agreements with an initial term of approximately fifteen (15) months, estimated to be performed by the successful proposers from **April 1, 2025**, through **June 30, 2026**. The agreement may include (2) one-year option terms [FY 2026-2027 (Year 1), FY 2027-2028 Year (2)]. **Option term 1 (Year 1) will begin July 1, 2026, and end on June 30, 2027, and Option Term 2 (Year 2) will begin on July 1, 2027, and end on June 30, 2028.** The Judicial Council in its sole discretion may exercise option terms prior to the expiration of the initial term.
- 1.4 The funding for the initial term encompasses eighteen (18) deliverables and amounts not to exceed **\$150,000**. The funding for option years 1 and 2 encompasses eighteen (18) deliverables for each option term and amounts not to exceed **\$150,000 for each option term.**

2.0 DESCRIPTION OF SERVICES AND DELIVERABLES

- 2.1 The Judicial Council seeks **one or more** qualified proposer(s) to develop and deliver substantive legal content and curricula that can be used to train and support attorneys and eligible advocates to represent tribes in juvenile dependency proceedings governed by the Indian Child Welfare Act. Proposer may subcontract portions of the contracted deliverables.

The successful Proposer(s) will:

1. Have demonstrated subject matter expertise representing tribal governments in dependency proceedings governed by the Indian Child Welfare Act.
2. Plan and consult on lesson plans and identify content for each course.
3. For each course, conduct multiple pre- and post-production meetings with identified CFCC staff to review contents and materials.

4. Ensure content is eligible and compliant to receive continuing education credits such as Minimum Continuing Legal Education (MCLE) credits as reviewed by Judicial Council staff.
5. Be responsible for editing and engineering if needed, and any other task needed to deliver completed courses; and
6. Deliver completed courses, including transcripts or any other materials needed for the courses to comply with the Americans with Disabilities Act (ADA).

2.2 General Scope of Services Requirements

- 2.2.1 Successful Proposer(s) must work with Judicial Council staff to create distance learning webinars for a variety of topics related to representing tribal governments in juvenile dependency proceedings governed by the Indian Child Welfare Act such as, history of and background to the Indian Child Welfare Act, understanding tribal sovereignty, structure of tribal governments, ethics and responsibilities in representing tribal governments, substantive requirements of the Indian Child Welfare Act, and other topics agreed upon by Judicial Council staff.
- 2.2.2 Online learning tools may include resources such as a slide deck, case scenarios, and job aids. All products must include the ability to conduct pre- and post- tests and qualify for continuing education credits.
- 2.2.3 All completed content must be recorded or otherwise be provided on a platform that is compatible for posting on a Judicial Council website.

2.3 Tasks and Deliverables. The Judicial Council anticipates the following major tasks and specific deliverables in connection with the scope of services described in this Request for Proposals (RFP). Without changing the Deliverables, the Proposer(s) should correct, validate, and expand on the tasks, as deemed necessary or desirable by the Proposer.

2.3.1 Distance Learning Curriculum #1 (1.5 hours Understanding Tribal Sovereignty)

2.3.1.1.1 Task 1: Meet with Judicial Council staff to discuss creation of curriculum project. Anticipated audience: Attorneys and qualified advocates.

2.3.1.1.2 Task 2: Create a remote learning webinar or interactive distance learning tool. Interactive tasks should include multi-media presentations and training methods including hypotheticals, practice exercises, case studies, and any other adult learning method that would keep adult learners engaged.

Learning Objectives must include:

- Participants will be able to identify the basic concepts of tribal sovereignty.
- Participants will understand the relationship between tribal, federal, and state governments.
- Participants will be able to identify issues related to jurisdiction.

2.3.1.1.3 Deliverable 1: Complete draft of remote learning webinar or distance learning tool for review by the Judicial Council. Estimated due date: **April 28, 2025.**

2.3.1.1.4 Deliverable 2: Revised draft of remote learning webinar or distance learning tool. Estimated due date: **May 30, 2025.**

2.3.1.1.5 Deliverable 3: Complete remote learning webinar or distance learning tool. Estimated due date: **July 27, 2025.**

2.3.1.2 Distance Learning Curriculum #2 (1.5 hours Structure of Tribal Governments)

2.3.1.2.1 Task 3: Meet with Judicial Council staff to discuss updating curriculum and identify needs, gaps, objectives, and outcomes for this project. The intended audiences are juvenile court stakeholders.

2.3.1.2.2 Task 4: Create an interactive distance learning tool with already established curricula. Interactive tasks should include multi-media presentations and training methods including hypotheticals, practice exercises, case studies, and any other adult learning method that would keep adult learners engaged.

Learning Objectives must include:

- Understand how tribal governments in California and the United States are structured.
- Explain how a legal representative takes instructions when representing a tribe in an ICWA case.
- Describe ethical issues involved with representing a tribe in an ICWA case.
- Explain challenges that can arise when representing a tribe.

2.3.1.2.3 Deliverable 4: Complete draft of remote learning webinar or distance learning tool for review by the Judicial Council. Estimated due date: **June 30, 2025.**

2.3.1.2.4 Deliverable 5: Revised draft of remote learning webinar or distance learning tool. Estimated due date: **July 25, 2025.**

2.3.1.2.5 Deliverable 6: Complete remote learning webinar or distance learning tool. Estimated due date: **September 19, 2025.**

2.3.1.3 Distance Learning Curriculum #3 (1.5 hours, Tribal Issues in State Courts)

2.3.1.3.1 Task 5: Meet with Judicial Council staff to discuss and agree on a curriculum topic, to meet the knowledge and skill needs of attorneys intending to represent tribes in ICWA cases in California.

2.3.1.3.2 Task 6: Create an interactive distance learning tool with already established curricula. Interactive tasks should include multi-media presentations and training methods including hypotheticals, practice exercises, case studies, and any other adult learning method that would keep adult learners engaged.

2.3.1.3.3 Deliverable 7: Complete draft of remote learning webinar or distance learning tool for review by the Judicial Council. Estimated due date: **October 15, 2025.**

2.3.1.3.4 Deliverable 8: Revised draft of remote learning webinar or distance learning tool. Estimated due date: **November 17, 2025.**

2.3.1.3.5 Deliverable 9: Complete remote learning webinar or distance learning tool. Estimated due date **January 16, 2026.**

2.3.1.4 Distance Learning Curriculum #4 (1.5 hours, Tribal Families)

2.3.1.4.1 Task 7: Meet with Judicial Council staff to discuss and agree on a curriculum topic, to meet the knowledge and skill needs of attorneys intending to represent tribes in ICWA cases in California.

2.3.1.4.2 Task 8: Create an interactive distance learning tool with already established curricula. Interactive tasks should include multi-media presentations and training methods including hypotheticals, practice exercises, case studies, and

any other adult learning method that would keep adult learners engaged.

2.3.1.4.3 Deliverable 10: Complete draft of remote learning webinar or distance learning tool for review by the Judicial Council. Estimated due date: **January 30, 2026.**

2.3.1.4.4 Deliverable 11: Revised draft of remote learning webinar or distance learning tool. Estimated due date: **February 27, 2026.**

2.3.1.4.5 Deliverable 12: Complete remote learning webinar or distance learning tool. Estimated due date: **April 3, 2026.**

2.3.1.5 Distance Learning Curriculum #5 – (1.5 hours, Tribal Youth)

2.3.1.5.1 Task 9: Meet with Judicial Council staff to discuss and agree on a curriculum topic, to meet the knowledge and skill needs of attorneys intending to represent tribes in ICWA cases in California.

2.3.1.5.2 Task 10: Create an interactive distance learning tool with already established curricula. Interactive tasks should include multi-media presentations and training methods including hypotheticals, practice exercises, case studies, and any other adult learning method that would keep adult learners engaged.

2.3.1.5.3 Deliverable 13: Complete draft of remote learning webinar or distance learning tool for review by the Judicial Council. Estimated Due Date: **April 10, 2026.**

2.3.1.5.4 Deliverable 14: Revised draft of remote learning webinar or distance learning tool. Estimated Due Date: **May 8, 2026.**

2.3.1.5.5 Deliverable 15: Complete remote learning webinar or distance learning tool. Estimated Due Date: **June 25, 2026.**

2.3.1.6 Distance Learning Curriculum #6 – (1.5 hours, Cultural Competency)

2.3.1.6.1 Task 11: Meet with Judicial Council staff to discuss and agree on a curriculum topic, to meet the knowledge and skill

needs of attorneys intending to represent tribes in ICWA cases in California.

2.3.1.6.2 Task 12: Create an interactive distance learning tool with already established curricula. Interactive tasks should include multi-media presentations and training methods including hypotheticals, practice exercises, case studies, and any other adult learning method that would keep adult learners engaged.

2.3.1.6.3 **Deliverable 16:** Complete draft of remote learning webinar or distance learning tool for review by the Judicial Council. Estimated Due Date: **April 24, 2026.**

2.3.1.6.4 **Deliverable 17:** Revised draft of remote learning webinar or distance learning tool. Estimated Due Date: **May 15, 2026.**

2.3.1.6.5 **Deliverable 18:** Complete remote learning webinar or distance learning tool. Estimated Due Date: **June 30, 2026.**

2.3.1.7 Option Year 1: Distance Learning Curriculum #7 (1.5 hours, Tribal Topics)

2.3.1.7.1 Task 13: Meet with Judicial Council staff to discuss and agree on a curriculum topic, to meet the knowledge and skill needs of attorneys intending to represent tribes in ICWA cases in California.

2.3.1.7.2 Task 14: Create an interactive distance learning tool with already established curricula. Interactive tasks should include multi-media presentations and training methods including hypotheticals, practice exercises, case studies, and any other adult learning method that would keep adult learners engaged.

2.3.1.7.3 **Deliverable 19:** Complete draft of remote learning webinar or distance learning tool for review by the Judicial Council. Estimated due date: **October 15, 2026.**

2.3.1.7.4 **Deliverable 20:** Revised draft of remote learning webinar or distance learning tool. Estimated due date: **November 7, 2026.**

2.3.1.7.5 **Deliverable 21:** Complete remote learning webinar or distance learning tool. Estimated due date **January 16, 2027.**

2.3.1.8 Option Year 1: Distance Learning Curriculum #8 (1.5 hours, Issues in the Tribal Court/State Court Landscape)

2.3.1.8.1 Task 15: Meet with Judicial Council staff to discuss and agree on a curriculum topic, to meet the knowledge and skill needs of attorneys intending to represent tribes in ICWA cases in California.

2.3.1.8.2 Task 16: Create an interactive distance learning tool with already established curricula. Interactive tasks should include multi-media presentations and training methods including hypotheticals, practice exercises, case studies, and any other adult learning method that would keep adult learners engaged.

2.3.1.8.3 **Deliverable 22:** Complete draft of remote learning webinar or distance learning tool for review by the Judicial Council. Estimated due date: **January 30, 2027.**

2.3.1.8.4 **Deliverable 23:** Revised draft of remote learning webinar or distance learning tool. Estimated due date: **February 27, 2027.**

2.3.1.8.5 **Deliverable 24:** Complete remote learning webinar or distance learning tool. Estimated due date: **April 3, 2027.**

2.3.1.9 Option Year 1: Distance Learning Curriculum #9 – (1.5 hours, Evolving Tribal Families)

2.3.1.9.1 Task 17: Meet with Judicial Council staff to discuss and agree on a curriculum topic, to meet the knowledge and skill needs of attorneys intending to represent tribes in ICWA cases in California.

2.3.1.9.2 Task 18: Create an interactive distance learning tool with already established curricula. Interactive tasks should include multi-media presentations and training methods including hypotheticals, practice exercises, case studies, and any other adult learning method that would keep adult learners engaged.

2.3.1.9.3 **Deliverable 25:** Complete draft of remote learning webinar or distance learning tool for review by the Judicial Council Estimated Due Date: **April 10, 2027.**

2.3.1.9.4 Deliverable 26: Revised draft of remote learning webinar or distance learning tool. Estimated Due Date: **May 8, 2027.**

2.3.1.9.5 Deliverable 27: Complete remote learning webinar or distance learning tool. Estimated Due Date: **June 5, 2027.**

2.3.1.10 Option Year 2: Distance Learning Curriculum #10 – (1.5 hours, Native Americans)

2.3.1.10.1 Task 19: Meet with Judicial Council staff to discuss and agree on a curriculum topic, to meet the knowledge and skill needs of attorneys intending to represent tribes in ICWA cases in California.

2.3.1.10.2 Task 20: Create an interactive distance learning tool with already established curricula. Interactive tasks should include multi-media presentations and training methods including hypotheticals, practice exercises, case studies, and any other adult learning method that would keep adult learners engaged.

2.3.1.10.3 Deliverable 28: Complete draft of remote learning webinar or distance learning tool for review by the Judicial Council. Estimated due date: **October 15, 2027.**

2.3.1.10.4 Deliverable 29: Revised draft of remote learning webinar or distance learning tool. Estimated due date: **November 7, 2027.**

2.3.1.10.5 Deliverable 30: Complete remote learning webinar or distance learning tool. Estimated due date **January 16, 2028.**

2.3.1.11 Option Year 2: Distance Learning Curriculum #11 (1.5 hours, Tribal Families in Court)

2.3.1.11.1 Task 21: Meet with Judicial Council staff to discuss and agree on a curriculum topic, to meet the knowledge and skill needs of attorneys intending to represent tribes in ICWA cases in California.

2.3.1.11.2 Task 22: Create an interactive distance learning tool with already established curricula. Interactive tasks should

include multi-media presentations and training methods including hypotheticals, practice exercises, case studies, and any other adult learning method that would keep adult learners engaged.

2.3.1.11.3 Deliverable 31: Complete draft of remote learning webinar or distance learning tool for review by the Judicial Council. Estimated due date: **January 30, 2028.**

2.3.1.11.4 Deliverable 32: Revised draft of remote learning webinar or distance learning tool. Estimated due date: **February 27, 2028.**

2.3.1.11.5 Deliverable 33: Complete remote learning webinar or distance learning tool. Estimated due date: **April 3, 2028.**

2.3.1.12 Option Year 2: Distance Learning Curriculum #12 – (1.5 hours, Native Youth and Families Wrap-Up)

2.3.1.12.1 Task 23: Meet with Judicial Council staff to discuss and agree on a curriculum topic, to meet the knowledge and skill needs of attorneys intending to represent tribes in ICWA cases in California.

2.3.1.12.2 Task 24: Create an interactive distance learning tool with already established curricula. Interactive tasks should include multi-media presentations and training methods including hypotheticals, practice exercises, case studies, and any other adult learning method that would keep adult learners engaged.

2.3.1.12.3 Deliverable 34: Complete draft of remote learning webinar or distance learning tool for review by the Judicial Council Estimated Due Date: **April 10, 2028.**

2.3.1.12.4 Deliverable 35: Revised draft of remote learning webinar or distance learning tool. Estimated Due Date: **May 8, 2028.**

2.3.1.12.5 Deliverable 36: Complete remote learning webinar or distance learning tool. Estimated Due Date: **June 5, 2028.**

3.0 TIMELINE FOR THIS RFP

The Judicial Council has developed the following list of key events related to this RFP.

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All dates are subject to change at the discretion of the Judicial Council.

EVENT	DATE
RFP issued	Feb 6, 2025
Deadline for questions submitted to: solicitations@jud.ca.gov	Feb 14 , 2025, No Later than 5PM Pacific Time
Questions and answers posted (estimate only) www.courts.ca.gov/rfps.htm	Feb 19, 2025
Latest date and time proposal may be submitted	Feb 28, 2025, 5PM Pacific Time
Evaluation of proposals (<i>estimate only</i>)	March 3 to 7, 2025
Notice of Intent to Award posted (<i>estimate only</i>) www.courts.ca.gov/rfps.htm Deadline to Submit Award Protest (JCC must receive award protest within 5 days of Notice of Intent to Award)	March 12, 2025
Negotiations and execution of contract (<i>estimate only</i>)	March 19 to 28, 2025
Contract start date (<i>estimate only</i>)	April 1, 2025
Contract end date initial term	June 30, 2026
Contract end date option year one	June 30, 2027
Contract end date option year two	June 30, 2028

4.0 RFP ATTACHMENTS

The following attachments are included as part of this RFP:

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ATTACHMENT	DESCRIPTION
Attachment 1: Administrative Rules Governing RFPs (Non-IT Services)	These rules govern this solicitation.
Attachment 2: JCC Standard Terms and Conditions	If selected, the person or entity submitting a proposal (the “Proposer”) must sign this Judicial Council Standard Form agreement containing these terms and conditions (the “Terms and Conditions”).
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 and FEHA Certification	The Proposer must complete the Unruh Civil Rights Act and California Fair Employment and Housing Act Certification.
Attachment 7: Bidder Declaration	Complete this form only if the Proposer wishes to claim the DVBE incentive associated with this solicitation.
Attachment 8: DVBE Declaration	<p>Proposer must submit a DVBE Declaration completed by each DVBE that will provide goods and/or services in connection with its bid. If Proposer is itself a DVBE, it must complete the DVBE Declaration itself. If Proposer will use one or more DVBE subcontractors, each DVBE subcontractor must complete a DVBE Declaration.</p> <p>If no DVBE incentive is offered, or Proposer does not wish to claim the DVBE incentive, Proposer should not submit a DVBE Declaration.</p>
Payee Data Record Form (STD 204)	This form contains information the JBE requires in order to process payments and must be submitted with the proposal.

Payee Data Record Form (STD 205)	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.
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5.0 PAYMENT INFORMATION

The proposed amounts shall be inclusive of travel and all other expenses.

The selected Proposer(s) shall submit invoices upon satisfactory completion of services for each deliverable outlined in Section 2 of this RFP. Invoices shall include, in detail, all costs and applicable charges.

The payment terms shall be Net 60 days from the acceptance of the deliverable and receipt of correct invoice. When making a payment tied to the acceptance of Deliverables, the JBE shall have the right to withhold fifteen percent (15%) of each such payment until the JBE accepts the final Deliverable.

Below is an estimate of the payment schedule based on the deliverables as follows:

Payment Number	Billable Activity	<u>Maximum</u> Estimated Available Funding	Invoice Due Date
#1	Completion of Deliverable #1	\$5,000	May 5, 2025
#2	Completion of Deliverable #2	\$5,000	June 12, 2025
#3	Completion of Deliverable #3	\$7,500	August 27, 2025
#4	Completion of Deliverable #4	\$5,000	July 30, 2025
#5	Completion of Deliverable #5	\$5,000	August 28, 2025
#6	Completion of Deliverable #6	\$7,500	October 19, 2025
#7	Completion of Deliverable #7	\$5,000	November 15, 2025

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#8	Completion of Deliverable #8	\$5,000	December 17, 2026
#9	Completion of Deliverable #9	\$7,500	February 16, 2026
#10	Completion of Deliverable #10	\$5,000	February 28, 2026
#11	Completion of Deliverable #11	\$5,000	March 27, 2026
#12	Completion of Deliverable #12	\$7,500	May 3, 2025
#13	Completion of Deliverable #13	\$5,000	May 10, 2026
#14	Completion of Deliverable #14	\$5,000	June 8, 2026
#15	Completion of Deliverable #15	\$7,500	July 26, 2026
#16	Completion of Deliverable #16	\$5,000	May 24, 2026
#17	Completion of Deliverable #17	\$5,000	June 15, 2026
#18	Completion of Deliverable #18	\$7,500	July 30, 2026
#19	Completion of Deliverable #19	\$5,000	November 15, 2026
#20	Completion of Deliverable #20	\$5,000	December 7, 2026
#21	Completion of Deliverable #21	\$7,500	February 16, 2027
#22	Completion of Deliverable #22	\$5,000	February 28, 2027

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#23	Completion of Deliverable #23	\$5,000	March 28, 2027
#24	Completion of Deliverable #24	\$7,500	May 3, 2027
#25	Completion of Deliverable #25	\$5,000	May 10, 2027
#26	Completion of Deliverable #26	\$5,000	June 8, 2027
#27	Completion of Deliverable #27	\$7,500	July 26, 2027
#28	Completion of Deliverable #28	\$5,000	November 15, 2027
#29	Completion of Deliverable #29	\$5,000	December 17, 2027
#30	Completion of Deliverable #30	\$7,500	February 16, 2028
#31	Completion of Deliverable #31	\$5,000	February 28, 2028
#32	Completion of Deliverable #32	\$5,000	March 27, 2028
#33	Completion of Deliverable #33	\$7,500	May 3, 2028
#34	Completion of Deliverable #34	\$5,000	May 10, 2028
#35	Completion of Deliverable #35	\$5,000	June 10, 2028
#36	Completion of Deliverable #36	\$7,500	July 6, 2028

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 a single email with two attachments labeled as “Technical Proposal” and “Cost Proposal”.
 - a. The Proposer must submit an electronic copy of the Technical and Cost Proposals. The proposal attachments must be signed by an authorized representative of the Proposer. The proposals must be submitted via a single email with the two identified attachments to Solicitations@jud.ca.gov. The Proposer must write the RFP title and number in the subject line of the email.
 - b. The Technical Proposal must include all the components and attachments required in Section 7.1. The Cost Proposal must include all components required in Section 7.2.
- 6.3 Proposals must be delivered by the date and time listed on the coversheet of this RFP.
- 6.4 Late proposals will not be accepted.
- 6.5 Submission acceptance will be based on the date and time the email is received by the Judicial Council. The email must be received prior to the due date and time, or the proposal will not be accepted.

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. The Proposer’s name, address, telephone and fax numbers, and federal tax identification number. Note that if the Proposer is a sole proprietor using their 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.

- c. A minimum of two (2) clients to serve as references for whom the Proposer has conducted similar services. References are to include names, addresses, telephone numbers and the email address of a contact person for each client. The JCC may contact referenced clients when reviewing an offer to verify the information provided. The JCC can't be listed as a reference.
- d. Resumes for each individual proposed to work on this project. Resumes should include a person's education, any applicable credentials and/or certifications, current work history and a summary of experience and knowledge to support the project as outlined in Section 2.0 of this RFP.
- e. Statement of Proposer's experience on similar assignments.
- f. At least two examples of online courses developed by Proposer for public sector agencies. If possible, one online course should be for professionals, and one should be for the general public.
- g. Proposed Work Plan based on Section 2.0: Description of Services and Deliverables, including timeframe for completion for all proposed tasks, using the general deadlines provided in Section 2.3.
- h. 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, Proposer must provide the required additional materials listed 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.
- i. 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 Payee Data Record form. <https://www.documents.dgs.ca.gov/dgs/fmc/pdf/std204.pdf>

- 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. 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.
- v. Proposer must also submit:
Business License#, Locale and Expiration
SOS Entity#, Status and Date
Tax Delinquent Status (FTB and CDTFA)

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

- i. Proposer must provide a Firm-Fixed Cost for each deliverable in Section 2.0. The proposed Firm-Fixed cost should not exceed estimated available funding for each deliverable outlined in Section 5.0
- ii. A detailed line-item budget for each deliverable described in Section 2.0. A full explanation of all budget line items in a narrative entitled “Budget Justification.”
- iii. A “not to exceed” total for all work and expenses payable under the contract, if awarded.

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

8.0 OFFER PERIOD

A Proposer's proposal is an irrevocable offer for ninety (90) days following the proposal due date. In the event a final contract has not been awarded within this period, the JBE 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 JBE will post an intent to award notice at <http://www.courts.ca.gov/rfps.htm>.

CRITERION	MAXIMUM NUMBER OF POINTS
Quality of work plan submitted and Proposer’s understanding of the problem or needs. (<i>Section 2.0.</i>)	20
Experience on similar assignments	15
Reasonableness of cost projections. Proposals will be evaluated in terms of reasonableness of cost, best value, and proposed rate structure.	20
Qualifications of Proposer based on resumes submitted including experience, expertise and credentials, if any.	20
Acceptance of the Terms and Conditions	10
Ability to meet timing requirements to complete the project	12
Disabled Veteran Business Enterprise Incentive (Section 12.0)	3

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

11.0 CONFIDENTIAL OR PROPRIETARY INFORMATION

PROPOSALS ARE SUBJECT TO DISCLOSURE PURSUANT TO APPLICABLE PROVISIONS OF THE CALIFORNIA PUBLIC CONTRACT CODE AND RULE

10.500 OF THE CALIFORNIA RULES OF COURT. 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 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 (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. Proposers are accordingly cautioned not to include confidential, proprietary, or privileged information in proposals.

12.0 DISABLED VETERAN BUSINESS ENTERPRISE INCENTIVE

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

Eligibility for and application of the DVBE incentive is governed by the JBE’s DVBE Rules and Procedures. Proposer will receive a DVBE incentive if, in the JBE’s sole determination, Proposer has met all applicable requirements. If Proposer receives the DVBE incentive, a number of points will be added to the score assigned to Proposer’s proposal. The number of points that will be added is specified in Section 9.0 above.

To receive the DVBE incentive, at least 3% of the contract goods and/or services must be provided by a DVBE performing a commercially useful function. Or, for solicitations of non-IT goods and IT goods and services, Proposer may have an approved Business Utilization Plan (“BUP”) on file with the California Department of General Services (“DGS”).

If Proposer wishes to seek the DVBE incentive:

1. Proposer must complete and submit with its proposal the Bidder Declaration (Attachment 7). Proposer must submit with the Bidder Declaration all materials required in the Bidder Declaration.
2. Proposer must submit with its proposal a DVBE Declaration (Attachment 8) completed and signed by each DVBE that will provide goods and/or services in connection with the contract. If Proposer is itself a DVBE, it must complete and sign the DVBE Declaration. If Proposer will use DVBE subcontractors, each DVBE subcontractor must complete and sign a DVBE Declaration. **NOTE:** The DVBE Declaration is not required if Proposer will qualify for the DVBE incentive using a BUP on file with DGS.

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

information. Failure to provide this information as requested will result in Proposer not receiving the DVBE incentive.

If this solicitation is for IT goods and services, the application of the DVBE incentive may be affected by application of the small business preference. For additional information, see the JBE's Small Business Preference Procedures for the Procurement of Information Technology Goods and Services.

If Proposer receives the DVBE incentive: (i) Proposer will be required to complete a post-contract DVBE certification if DVBE subcontractors are used; (ii) Proposer must use any DVBE subcontractor(s) identified in its proposal unless the JBE approves in writing the substitution of another DVBE; and (iii) failure to meet the DVBE commitment set forth in its proposal will constitute a breach of contract.

If using DVBE subcontractors, the Proposer must complete and return to the JBE a copy of the post-contract certification form (<https://www.courts.ca.gov/documents/JBCM-Post-Contract-Certification-Form.docx>), promptly upon completion of the awarded contract, and by no later than the date of submission of Proposer's final invoice to the JBE. If the Proposer fails to do so, the JBE will withhold \$10,000 from the final payment, or withhold the full payment if it is less than \$10,000, until the Proposer submits a complete and accurate post-contract certification form.

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

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

13.0 PROTESTS

Any protests will be handled in accordance with Chapter 7 of the Judicial Branch Contracting Manual (see <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.