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| RC2 | REQUEST FOR PROPOSALS |
| **JUDICIAL COUNCIL OF CALIFORNIA** Regarding: *California Statewide Self-Represented Litigants (SRL) Portal: Interactive Instructional Content* **RFP Number: IT-2019-12-LB**  **PROPOSALS DUE:**  May 8, 2019, NO later than *4:00* p.m. Pacific time |

## 1.0 BACKGROUND INFORMATION

1.1 The Judicial Council of California (JCC), chaired by the Chief Justice of California, is the chief policy making agency of the California judicial system. The California Constitution directs the council to improve the administration of justice by surveying judicial business, recommending improvements to the courts, and making recommendations annually to the Governor and the Legislature. The council also adopts rules for court administration, practice, and procedure, and performs other functions prescribed by law. The JCC is the staff agency for the council and assists both the council and its chair in performing their duties.

* 1. The Judicial Council of California maintains several external and internal-facing Web properties, including a password-protected extranet site, judicial partner sites, trial court sites, and the California Courts website (www.courts.ca.gov). Our California Courts website receives more than a million visitors a month and includes the state’s largest collection of free legal self-help information; more than 1,300 fillable Judicial Council legal forms available for download, and hosts appellate court web properties, including the Supreme Court, Courts of Appeal and their respective case information and legal opinions.
  2. In support of Futures Commission recommendations, at the request of the Chief Justice of California, the **California Courts Digital Services and Self-Help Redesign** project will deliver informational, instructional, and transactional digital services in support of Californians who are attempting to address legal issues without legal representation (an attorney).
  3. The initiative comprises several components. This RFP (RFP-IT-2019-12-LB) is focused on delivery of **Interactive Instructional Content**.

## 2.0 DELIVERABLES DESCRIPTION

* 1. The Judicial Council seeks to identify and retain multiple qualified vendors with creative multimedia and/or video production skills to create interactive, immersive, educational content to support California court users attempting to resolve or wanting to learn about legal issues on their own, without legal representation, also referred to as Self-Represented Litigants (SRLs). Proposals for interactive, immersive content may include, but are not limited to, any of the following types of production grade multimedia: live action video, animated video, GIF, printable illustration, infographic, checklists, or guides. JCC Staff will produce an initial creative brief that provides background on the experiences of SRLs as well as specific needs for different user segments.
  2. In collaboration with JCC staff and legal subject matter experts, design and deliver production grade multimedia assets that will support and prepare SRLs at critical junctures of their user journey through the court system. Assets must be accessible and support Spanish translation. Media types may include but are not limited to:  
     + Live action videos
     + Animated videos
     + Graphic images
     + Infographics
     + Checklists
  3. Display expertise in the best practices related to design and delivery of interactive instructional content. Vendor is expected to display, through examples of work, expertise in user-centered design, use of sprints and story­boarding, development of learning objectives, and agile design that can be rapidly tested with users and reworked based on feedback. Examples of work must include process artifacts, final artifacts, and links or screenshots of how the media fit into the primary content.
  4. Assets may range from high-level instructional videos, to infographics, to interactive self-assessments, flowcharts, and timelines, all designed to assist SRLs navigate the legal system. Assets should be optimized for numerous displays, including small smartphones with restricted data plans as well as high-resolution desktop screens, at home, at court, or at legal aid centers with varying internet bandwidth, with an emphasis on hybridizing the online and offline experience of court Self Help Centers.
  5. Potential areas of the journey to focus on (See Attachment 14 for our Journey Map) will be junctures that cross several case types, including: 1) Working out their court matter, 2) Filing with the court, 3) Performing service on other parties, 4) Trial preparation, 5) Settlement, 6) Mediation, and 7) Writing up a judgement. Examples of specific uses cases to support with supplemental content:

 The litigant has filed papers, now they have to correctly serve the other parties.

 Collect financial information to share with the court to get a fee waiver or request a divorce, child/spousal support.

 File paperwork at the right courthouse.

 Come back for a Case Management conference.

 Make the right number of copies of a filing

 Write an order/judgment to memorialize a child custody ruling.

* 1. Respondents must provide a statement displaying expertise in the best practices related to the design and delivery of engaging, instructional/educational multimedia. The firm is expected to display expertise in user-centered design and creating clear objectives for each asset. Please include:
     1. Types of multimedia that the respondent feels are within their capability and expertise to produce that fit the scope and goals of this project.
     2. Examples (as links or attachments) in your response of past multimedia assets produced with an emphasis on the results of those projects.
  2. Respondents must provide a coherent statement of how they intend to approach and manage the project that articulates a timeline with clear milestones that puts an emphasis on testing with users and iteration based on feedback. In addition, respondents must provide associated cost estimates, where applicable, in a Pricing Proposal (See Attachment 16), referencing the deliverables below:
     1. **Concept:** Collaborate with Judicial Council subject-matter experts to develop the scope and concepts for production grade instructional multimedia assets.
     2. **Content:** Collaborate with Judicial Council subject-matter experts to create or use existing content as a basis for production grade multimedia assets. Content is expected to be interactive and engaging, using a variety of media, as outlined below. Existing content will be made available as a starting place, but the chosen firm will be expected to extend and shape this content to fit the form and desired function of the medium.
     3. **Production**: Produce and deliver production grade multimedia assets optimized for delivery on the web on a timeline that allows for feedback and iteration. Assets must be accessible, support Spanish translation, editable, and include all source files. See below for details:  
        1. **Media Types:** The following assets Media types may include, but are not limited to:
           + Live Action Videos (6-8, not to exceed 8): A high definition video capturing self-help attorneys explaining complex common topics that are one to four minutes in length. Includes pre-production and post production work, including voice over, script development, direction, music, and editing.
           + Animated Videos (6-8, not to exceed 8): One to four-minute explainer video for complex common topics. Includes all aspects of production beyond the primary content produced for the website. Incudes development of all visual assets, music, and voice over.
           + Hybrid live action and animated Videos. (5-7, not to exceed 7) A high definition video capturing self-help attorneys explaining complex common topics that are one to four minutes in length with animated elements or overlays. Includes pre-production and post production work, including voice over, script development, direction, editing, and sound balancing.
           + Set of Graphic Images (i.e. GIFs) (not to exceed 100 sets): A set of graphic images (or GIFs) to support micro tasks within the self-represented litigant journey.
           + Infographics (15-17, not to exceed 17): High fidelity diagrams, flow charts, or process maps that can offer online and offline users a snapshot understanding of the various paths through different legal matters.

* + - 1. **Translation:** Deliver bi-lingual (Spanish) versions of all delivered multimedia content types.
      2. **Accessibility:** All multimedia assets, including video, must be ADA-compliant and adhere to standards and guidelines outlined in [WCAG.2.0](https://www.w3.org/TR/2008/REC-WCAG20-20081211/).
    1. **Project Management:** Deliver proposed approach to overall project management and client engagement through life-cycle of the project, including how proposer plans to work in cross-partner collaboration with other vendors also contributing to the new digital services redesign.

The vendor will assign a dedicated project manager to interface and provide project coordination with the Judicial Council of California and other vendors contributing to the digital services project. In collaboration with JCC staff, the project manager will work to create a deliverables schedule (i.e. weekly status reports, completion rates, and other project management artifacts).

* + 1. **Knowledge Transfer**: Provide a formal knowledge-transfer plan, including manuals, training, documentation, and any other information necessary for Judicial Council staff to maintain the delivered build.

## 3.0 TIMELINE FOR THIS RFP

The Judicial Council of California 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 of California.

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| **EVENT** | **DATE** |
| RFP issued | April 11, 2019 |
| Deadline for questions to [solicitations@jud.ca.gov](mailto:solicitations@jud.ca.gov) | April 22, 2019  No later than 1:00PM, Pacific Time |
| Questions and answers posted *(estimated only)* | April 24, 2019 |
| Latest date and time proposal may be submitted | May 8, 2019  No later than 4:00PM, Pacific Time |
| Evaluation of proposals (*estimate only*) | May 10-15, 2019 |
| Public opening of cost portion of proposals to be posted on the Courts website *(estimate only)*. | May 17, 2019 |
| Notice of Intent to Award (*estimate only*) | May 20, 2019 |
| Negotiations and execution of contract (*estimate only*) | May 22, 2019 |
| Contract start date (*estimate only*) | June 17, 2019 |
| Contract end date (*estimate only*) | June 30, 2020 |

## 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 (IT Goods and Services) | These rules govern this solicitation. |
| Attachment 2: Judicial Council 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: 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 Judicial Council requires in order to process payments and must be submitted with the proposal. |
| Attachment 7: Iran Contracting Act Certification | The Proposer must complete this form and include it in the **cost portion** of their proposal ONLY if the proposal cost is over $1,000,000.00 |
| Attachment 8: Unruh and FEHA Certification | The Proposer must complete the Unruh Civil Rights Act and California Fair Employment and Housing Act Certification include in the non-cost proposal. |
| Attachment 9: Bidder Declaration | The Proposer must complete and return this form with the proposal only if Proposer wishes to claim the DVBE incentive associated with this RFP. |
| Attachment 10: DVBE Declaration | Complete and return this form with the proposal only if Proposer wishes to declare DVBE status |
| Attachment 11: DARFUR Contracting Certification | The Proposer must complete and return this form with the proposal. |
| Attachment 12: JCC Prototype Design Patterns | The Proposer may reference this Prototype Design Patterns guide to better understand the content types and pattern libraries that might be needed for the project. The designs presented here have not been tested for usability and is meant as a reference only. |
| Attachment 13: Design Draft Element | The Proposer may reference this Draft of a Design Element that outlines possible steps or approaches for a particular process. The designs presented here have not been tested for usability and is meant as a reference only. |
| Attachment 14: Court User’s Journey | The Proposer may reference this Court User’s Journey guide to better understand the user journey or mental model of visitors coming to the courts sites. |
| Attachment 15: Reference Form | The Proposer must complete and return this Reference Form with the proposal. |
| Attachment 16: Cost Portion Template | The Proposer must complete this Template for Cost Documentation and return it in the **cost portion** of the Proposal |

## 5.0 PAYMENT INFORMATION

The following payment-related issues are applicable:

* Basis for payments: Payments will be firm-fixed price, based on deliverables outlined in the final Scope of Work.
* Travel expenses will be reimbursed by Judicial Council of California.
* Payments will be withheld until Deliverables are officially accepted by JCC.
* A payment retention holdback of 10% may be applied to all Deliverables.

## 6.0 SUBMISSIONS OF PROPOSALS

6.1 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.

6.2 The Proposer must submit its proposal in two parts, the non-cost portion and the cost portion.

a. The Proposer must submit **one (1) original and (2) copies** of the non-cost portion of the proposal. The original must be signed by an authorized representative of the Proposer. The original non-cost portion of the proposal (and the copies thereof) must be submitted to the Judicial Council in a single sealed envelope, separate from the cost portion. The Proposer must write the RFP title and number on the outside of the non-cost sealed envelope. Include a soft copy of this non-cost portion of the proposal in WORD or Excel on a marked thumb drive.

b. The Proposer must submit **one (1) original and (2) copies** of the cost portion of the proposal. The original must be signed by an authorized representative of the Proposer. The original cost portion of the proposal (and the copies thereof) must be submitted to the Judicial Council in a single sealed envelope, separate from the non-cost portion. The Proposer must write the RFP title and number on the outside of the cost sealed envelope. Include a soft copy of this cost portion of the proposal in WORD or Excel on a marked thumb drive.

6.3 Proposals must be delivered by the date and time listed on the coversheet of this RFP to:

Judicial Council of California

Branch Accounting and Procurement | Administrative Division

Attn: Bid Desk: RFP-IT-2019-12-LB

455 Golden Gate Avenue, 6th Floor

San Francisco, CA 94102-3688

6.4 Late proposals will not be accepted.

6.5 Only written proposals will be accepted. Proposals must be sent by registered or certified mail, courier service (e.g. FedEx), or delivered by hand. Proposals may not be transmitted by fax or email.

## 7.0 PROPOSAL CONTENTS

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

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

c. Proposed method to complete the work.

1. Detailed responses to Section 2.0 Deliverables Description, including examples of work.
2. Resumes and credentials of all key personnel to be assigned to the project.
3. Three client references from past projects.

d. Acceptance of the Terms and Conditions.

i. On Attachment 3, the Proposer must check the appropriate box and sign the form. If the Proposer marks the second box, it must provide the required additional materials. An “exception” includes any addition, deletion, or other modification.

ii. If exceptions are identified, the Proposer must also submit (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.

e. Certifications, Attachments, and other requirements.

i. The Proposer must complete the with its proposal the Certification forms as noted in Section 4.0 RFP Attachments.

ii. 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.

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

IT Services:

i. A detailed line item budget showing total cost of the proposed services.

ii. 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 Judicial Council reserves the right to negotiate extensions to this period.

## 9.0 EVALUATION OF PROPOSALS

The cost portion of proposals will be publicly opened at the date and time noted in Section 3.0 at

Judicial Council of California

455 Golden Gate Avenue

San Francisco, CA 94102-3688

The bid opening time and location will be posted on the courts website. Alternatively, The Proposer can send an e-mail inquiry regarding time and location to [solicitations@jud.ca.gov](mailto:solicitations@jud.ca.gov).

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

If a contract will be awarded, the Judicial Council will post an intent to award notice at [www.courts.ca.gov](http://www.courts.ca.gov).

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| **CRITERION** | **MAXIMUM NUMBER OF POINTS** |
| Quality of work plan submitted and Proposer’s understanding of the problem or needs*. (Section 2.2.)* | 10 |
| Experience on similar assignments. | 20 |
| Reasonableness of cost projections. Proposals will be evaluated in terms of reasonableness of cost, best value, and proposed rate structure. | 50 |
| Credentials of staff to be assigned to the project | 9 |
| Acceptance of the Terms and Conditions | 5 |
| Ability to meet timing requirements to complete the project | 3 |
| DVBE | 3 |

## 10.0 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 Judicial Council 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 Judicial Council’s right to disclose information in the proposal, or (b) requiring the Judicial Council 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.

## 11.0 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 Judicial Council’s DVBE Rules and Procedures. Proposer will receive a DVBE incentive if, in the Judicial Council’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 9). 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 10 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 Judicial Council 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 Judicial Council’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 Judicial Council 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.

**FRAUDULENT MISREPREPRETATION 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.**

## 12.0 SMALL BUSINESS PREFERENCE

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

Eligibility for and application of the small business preference is governed by the Judicial Council’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 Judicial Council’s sole determination, the Proposer has met all applicable requirements. If the Proposer receives the small business preference, the score assigned to its proposal will be increased by an amount equal to 5% of the points assigned to the highest scored proposal. If a DVBE incentive is also offered in connection with this solicitation, additional rules regarding the interaction between the small business preference and the DVBE incentive apply.

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

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

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

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

## 13.0 PROTESTS

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

The deadline for the Judicial Council to receive a solicitation specifications protest is the proposal due date. Protests must be sent to:

Bid Desk

RFP Number: IT-2019-12-LB

Branch Accounting and Procurement | Administrative Division

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455 Golden Gate Avenue, 6th Floor

San Francisco, CA 94102-3688