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|  | REQUEST FOR PROPOSALS |
| ***judicial couNcil of california***  **Regarding:** *RFP-TCAS-2020-08-LB PHOENIX SAP SYSTEM INTEGRATION SUPPORT*  **PROPOSALS DUE:**  *MARCH 19, 2021* no later than *5:00* p.m. Pacific time |

**1.0 BACKGROUND INFORMATION**

1.1 VISION

The objective of the Phoenix Program is to maintain a statewide finance and human resources system, with the same core configuration, for the fifty-eight (58) superior courts in California. The system is supported on a single SAP software system called Phoenix on which all fifty-eight (58) superior courts maintain their financial data, and seventeen (17) superior courts maintain their Human Resources and payroll data.

1.2 ORGANIZATION

The Phoenix Program is maintained by a State of California entity, Judicial Council of California (“Judicial Council”), Administrative Division, Branch Accounting and Procurement Office, Trial Court Administrative Services. The data in the system and the primary system users are from the fifty-eight (58) superior courts.

Trial Court Administrative Services is comprised of two main units:

* The Phoenix **Shared Services Center** consists of staff that are super-users of the Phoenix SAP system, who provide day-to-day operational support of the courts.
* The Phoenix **Center of Excellence** consists of staff who are proficient in functional configuration, ABAP, UI5, and other related development, and Basis, and who provide analytical, configuration, and technical support of the Phoenix SAP system.

See **Attachment 12** for program information including current program organization; deployment footprint; court employee and user counts; key system usage and support metrics; and current environment and system support requirements including brief descriptions of main support organization processes and responsibilities.

1.3 SERVICES AND RESPONSIBILITIES

1.3.1 SHARED SERVICES CENTER

The Shared Services Center provides centralized administrative services to the courts on the Phoenix System and promotes best practices and operational consistency statewide. The center provides a diverse range of financial and Human Capital Management operational services on a daily basis.

1.3.1.1 SSC Overview

The Shared Services Center (SSC) is the central point of contact for courts using the *Phoenix System.*

1.3.1.2 SSC Services and Responsibilities

Financial Services provided by the SSC include:

* + - General ledger management, reconciliation, and reporting.
    - A centralized treasury, including bank account management and investments.
    - Trust accounting, which consists of money collected and held in trust on individual cases by the trial courts.
    - Procurement services, including supporting all the courts in using the system, and smaller courts in the entire procurement process.
    - Accounts payable which includes vendor, employee, and jury payments.
    - Production of a standardized set of monthly, quarterly, and annual financial statements that comply with existing statutes, rules, and regulations.

Human Resources/Payroll Services provided by the SSC include:

* + - Personnel administration, which includes employee hiring and separation, classification and pay, and organization management.
    - Benefits, which includes the proper deduction and payments, such as, health, dental, vision, etc.
    - Time management, which includes the proper recording of time and leave based on an individual’s work schedule, representation status, etc.
    - Payroll, which includes the processing of time records against pay and benefit records to produce employee payments, vendor payments, and updating of accounting records.
    - Payroll reconciliation, which includes validating the accounting records against the payroll records to ensure payments have been properly collected, disbursed, and accounted.
    - Employee and manager self-service, which includes access to self-service options, such as, timesheets for entry and verification, benefit information, contact information, etc.

1.3.1.3 SSC Goals

* + - Ensure uniformity of financial records.
    - Provide consistency of accounting and financial data.
    - Produce trial court monthly, quarterly, and annual financial statements.
    - Ensure compliance with existing statutes, rules, and regulations.
    - Monitor process compliance with service level agreements.

1.3.1.4 SSC Organization

The Shared Services Center is comprised of two major sections:

1.3.1.4.1 Phoenix Financial Services

* Trust Accounting Unit
* Phoenix Purchasing Support Services Unit
* General Ledger and Reports Unit
* Accounts Payable Unit

1.3.1.4.2 Phoenix Human Resources Services

* Payroll Financial Services Unit
* Payroll Services Unit

The Phoenix Shared Services Center is housed solely in the Sacramento office of the Judicial Council. Staff participate in both flexible work schedule and telecommute programs.

1.3.2 CENTER OF EXCELLENCE

The Center of Excellence (COE) is responsible for the systematic deployment, maintenance, and operation of the Phoenix System to the trial courts. Currently, all fifty-eight (58) courts have implemented the Phoenix Financial System. The Phoenix Human Resources System has been deployed to seventeen (17) courts – further deployment efforts are contingent upon additional resources.

1.3.2.1 COE Overview

The COE performs complex studies of accounting and human resources/payroll processes, business procedures, and court administrative operations. It also assists in formulation of new or revised policies and/or procedures to meet court administrative and business operation’s needs and implements automated processes where possible. The COE also provides more technical services to the Phoenix Program in partnership with a dedicated unit of the Judicial Council Information Technology office, with the support of other third-party managed services and Microsoft Azure cloud services.

1.3.2.2 COE Services and Responsibilities

Continually direct project teams of Judicial Council and court representatives in the development of new and revised Financial and HR/Payroll processes and configuration for continuous improvement.

* + - Provide the required Project Management services for all efforts, whether they are formal projects or normal maintenance or enhancement requests, to ensure the most efficient use of resources and compliance with industry, program, and judicial branch enterprise and security standards.
    - Develop and modify reports for Financial and HR/Payroll activities specific to court operations and budgeting.
    - Prepare reports with recommendations based on studies and surveys to improve or change accounting and HR/Payroll policies, processes, and procedures.
    - Continually manage the work of contracted system support consultants involved in support of the Phoenix System on behalf of the courts.
    - Design and build reports to satisfy requests from third-parties including California Legislature, California State Auditor, the Judicial Council, and other branch entities.
    - Provide day-to-day user support and break-fix services.
    - Develop requested enhancements; implement system patches and upgrades for hardware as well as software.
    - Develop and provide daily monitoring of system tools and interfaces to support court administration. This includes implementation of program administered tools, as well as, interfaces with court systems and their third-party service providers for financial, payroll, and benefit administration, etc.
    - Provide ongoing Maintenance and Operations services (M&O Support) to the Phoenix Program, ensuring that systems are operating on the most current vendor-required system and maintenance support levels.
    - Provide continuous improvement related to system change requests that support ever-evolving priorities of the trial courts and technological advances in the SAP solutions and beyond.

1.3.2.3 COE Goals

* + - Design, develop, enhance, and maintain a quality integrated system of financial, human capital, and payroll processes within the Phoenix System.
    - Continually improve Judicial Council staff knowledge, skills, and abilities, as well as, review processes and configuration, to reduce the cost of delivering an integrated finance/HR/payroll system for the trial courts.
    - Design and develop training curriculum to support the trial court financial and human resources system.
    - Provide timely response to all system incidents, and enhancement requests.
    - Assist the Judicial Council in realization of the benefits of a fully integrated financial and HR system.
    - Provide opportunities for greater efficiency by the restructuring and redesigning of business processes by leveraging the value of the ERP systems capabilities.
    - Eliminate duplication of efforts.
    - Minimize manual reconciliations.
    - Provide a foundation for the Judicial Council and the courts to explore additional functional and technical improvement opportunities, including but not limited to:
      * Deployment of HCM functionality to additional courts
      * Public Sector Budget Planning
      * e Procurement
      * Fixed Assets Management
      * Inventory Management
      * Learning Management
      * e Recruitment/Applicant Tracking/Onboarding
      * Performance Management
      * Expanded Self-Service functionality
      * Automated integration with other business solutions in the courts
      * Mobile access
      * Increased use of automated system support tools such as
        + automated testing tools and
        + advanced Solution Manager functions.

1.3.2.4 COE Organization

The Center of Expertise is comprised of three major sections:

* + - HR Production Support
    - Finance Production Support, including Process Support and Reporting.
    - Phoenix Information Systems Enterprise Resource Planning

Phoenix Center of Excellence staff are housed in both the Sacramento office of the Judicial Council of California (HR and Finance functional analysis and configuration staff); and the San Francisco office (ABAP Development and Basis support staff). Staff participate in both flexible work schedule and telecommute programs.

**2.0 DESCRIPTION OF GOODS AND/OR SERVICES**

2.1 Overview

2.1.1 The Judicial Council seeks to contract with a single organization that will provide experienced and knowledgeable consultants to the Judicial Council to assist the Judicial Council in providing the services and fulfilling its responsibilities as described in Section 1.3 above and further elaborated upon in **Attachment 12** of this RFP. The Judicial Council reserves the right to reject any and all proposals, to award the contract in whole or in part and/or negotiate only certain items with an individual person or entity submitting a proposal (the “Proposer”) if it is deemed in the Judicial Council’s best interest, or not award any contract based on the submitted proposals.

2.1.2 The consultants to be provided must have expertise and experience (generally Senior level and above, with at least 10 years’ experience) in support of a mature SAP installation substantially equivalent to the Judicial Council’s current installation specified in 2.2, below. The consultants will, in addition and when requested, engage in knowledge transfer activities to promote Judicial Council’s goal of achieving Judicial Council independence in maintaining and developing the Phoenix System.

2.1.3 The Consultants to be provided may come from the Contractor’s own organization or may be under subcontract to the Contractor. Note, Contractor shall cooperate with the Judicial Council if the Judicial Council wishes to perform any background checks on Contractor’s employees or contractors providing services to the Judicial Council.

2.1.4 When this RFP refers to the M&O Support Team, unless otherwise noted, the M&O Support Team refers to a combination of Contractor supplied consultants and Judicial Council employee resources.

2.2 Staffing

2.2.1 Currently Utilized Resources - Position Titles and Descriptions:

2.2.1.1 It is expected that at a minimum the current (Judicial Council Fiscal Year July 2020 - June 2021) consultant resource levels (see 2.2.1.2) will continue to be required through the life of the Legal Agreement resulting from this RFP.

2.2.1.2 The currently utilized consultant resource positions (“Currently Utilized Consultant Resource(s)’) are:

1 SAP Financial Functional Analyst – (up to 1 Full Time Equivalent (FTE));

1 SAP Human Capital Management (HCM) Functional Analyst (1 FTE);

1 SAP Technical Consultant (up to 1 FTE); and

1 SAP Basis Consultant (1 FTE).

1 Other resources as required, up to 1 FTE to provide additional support requirements (see Position Descriptions in Section 2.2.1.3 below.)

Actual resource utilization depends upon need, to support the ongoing work of the Program.

2.2.1.3 Position Descriptions - Currently Utilized Consultant Resources:

Below are the position descriptions of the Currently Utilized Consultant Resources. These resources will be in place when the legal agreement resulting from this RFP is initiated.

2.2.1.3.1 SAP Financial Functional Analyst

Performs professional-level analytical and functional work maintaining system configuration. Will coordinate the functional/business unit activities related to the requirements gathering, use cases, process documentation, development, training, testing and use of the Phoenix Financial System. This position provides the subject matter expertise to support the development and configuration updates in support of Judicial Council’s SAP implementation for the courts. In addition, provides lead direction and senior level subject matter expertise, and work review of project staff and/or performs and coordinates complex and specialized work to include defining test plans, training plans and recommendations for business process reengineering. Preferable skills would include expertise using SAP Solution Manger, SAP Productivity Pak, and Judicial Council’s support tools (see **Attachment 12** for list of complementary third-party software tools used by the Program). The SAP Financial Functional Analyst’s skill set required may include any of or a combination of the following or similar areas.

* Team Lead
* Integration Manager
* General Ledger
* Accounts Payable
* Accounts Receivable
* Cash Management
* Controlling (Cost Center and Internal Order Accounting)
* Project Systems (Project Accounting)
* Funds Management Budget Control System
* Grants Management
* Public Sector Collections and Disbursements
* Materials Management (Procurement)
* Public Sector Budgeting
* Workflow
* eProcurement
* Fixed Assets Management
* Inventory Management

The regular location to which this individual would report is the Judicial Council Sacramento office during regular business hours.

2.2.1.3.2 SAP HCM Functional Analyst

See SAP Financial Functional Analyst for preferred experience and expectations. The SAP HCM Functional Analyst’s skill set required may include any of or a combination of the following or similar areas:

* Team Lead
* Integration Manager
* Personnel Administration
* Organizational Management
* Payroll (HR and Finance)
* Time Management
* Benefits Administration
* Organization Management
* HR/Payroll Financials
* Employee and Manager Self-Services (Fiori Apps)
* Workflow
* Learning Management Solution
* Performance Management

The regular location to which this individual would report is the Judicial Council Sacramento office during regular business hours.

2.2. 1.3.3 SAP Technical Consultant

Performs professional-level analytical ABAP, or other SAP-relevant design, review and development. The consultant must have the ability to lead ABAP or other SAP-relevant development staff, with Finance and/or HCM development expertise on Reports, Interfaces, Enhancements, Forms, Personas, Fiori Apps, etc. - designs, codes, configures, tests and debugs ABAP programs. Performs code review/analysis, requirements analysis, quality assurance, and performance tuning. Supports, maintains, and documents Phoenix SAP custom functions and routines. Analyzes support issues in interaction with functional team members, participates in design and develops viable solutions. Develops and provides production support of the Phoenix SAP application using best practices and complies with Judicial Council development standards. The ideal candidate will support existing and new interfaces, and therefore would have a good understanding of integration with third-party tools using Web Services, SFTP, etc.

The regular location to which this individual would report is the Judicial Council San Francisco office during regular business hours.

2.2.1.3.4 SAP Basis Consultant

Provides basis consulting, system administration and operation control for Support and Maintenance and Implementation Projects. Should have strong technical skills in SAP support, which includes

* Upgrades, system copy, performance tuning, authorization setup, TMS admin, applying patches, backup and restore processes
* Support for ECC, S/4HANA, Netweaver, BW, BW on HANA, and Enterprise Portal, experience supporting add-on tools such as Solution Manager, Productivity Pack, EPI-USE HR data migration tools, BSI Taxfactory, Secude/NetWeaver SSO and FileNet
* Proficient in Fiori, Java, JavaScript, HTML5 development and User Experience (UX) design.
* Understanding of ESS/MSS configuration and portal content management
* Experience with Web Services design and development
* Knowledge of Oracle and HANA database administration, Linux OS and application and infrastructure security.

The regular location to which this individual would report is the Judicial Council San Francisco office during regular business hours.

2.2.2 Additional Consultant Resources – Position Titles and Descriptions:

2.2.2.1 Additional consultant resources (“Additional Consultant Resources”) will at times be needed by the Judicial Council. The selected contractor must be able to provide these additional resources, if and when needed, for durations of time that will be specified by the Judicial Council when the resource is needed.

These Additional Consultant Resources include the position descriptions in section 2.2.2.3 below, as well as, the four (4) position descriptions listed in section 2.2.1.3 above. The vendor is expected to be able to provide consultant resources that have the skills described in sections 2.2.1.3 and 2.2.2.3 with the required expertise and experience (generally Senior level and above, with at least 10 years’ experience).

These consultant resources will usually be located at locations noted in the position descriptions, however, remote support may at times be appropriate.

The Judicial Council and contractor may agree at times that the contractor will be able to provide consultants of various work experience levels, depending on the resource requirement. For “less-senior” resources or those providing lower level work, the Judicial Council would expect to pay appropriate rates based on the work being performed. For this reason, the Judicial Council is requesting separate rates for ‘senior’ (at least 10 years of relevant work experience) and ‘less-senior’ (greater than 3 but less than 10 years of relevant work experience) resources having the same or similar job descriptions.

2.2.2.2 The Additional Consultant Resources positions include:

* SAP Project Manager
* SAP Quality Assurance Analyst
* OCM/Training Consultant
* SAP Business Warehouse Architect/Developer
* SAP Security Analyst
* SAP Specialist Other

The positions described in section 2.2.1.3

2.2.2.3 Position Descriptions - Additional Consultant Resources:

Below are the position descriptions of the Additional Consultant Resources:

2.2.2.3.1 SAP Project Manager

Lead and participate in project planning and monitoring, and vendor resource management, including tasks such as:

* Develop or assist in development and monitoring of detailed project work plans using Microsoft Project and other tools.
* Review and assist in managing the support process and specific incident handling using SAP Solution Manager and other tools.
* Support Quality Assurance process.
* Review support needs and ensure proper resources are assigned and functioning at a high level.
* This position would primarily be located in the Sacramento office.

2.2.2.3.2 SAP Quality Assurance Analyst

* Design, automate, and execute test plans, scripts, and test data creating to ensure the quality of software applications and enhancements; supports research, triage and resolution for both production and testing incidents; performs related work as assigned. This position would normally be located in the Sacramento office.

2.2.2.3.3 OCM/Training Consultant

Leads and participates in project training and communication planning and execution, including tasks such as:

* Assist in Training Curriculum and Material development and review using SAP Productivity Pak, Microsoft Office, and other tools.
* Provide and support in-person and online End-User Training.
* This position would primarily be located in the Sacramento office.

2.2.2.3.4 SAP Business Warehouse Architect/Developer

* Supports existing SAP Business Warehouse solution and assists with design, development, configuration and tuning of new and existing Business Warehouse extractors, data providers, cubes and reports. This position would primarily be located in the Sacramento office.

2.2.2.3.5 SAP Security Analyst

* Supports maintenance of existing catalog of user roles, identifies and provides recommendations for mitigating risk. Work with technical and functional support staff on design of new roles and user maintenance.
* This position would primarily be located in the Sacramento office.

2.2.2.3.6 Specialist Other

* An expert resource would be called upon as needed to provide strategy, functional and/or technical input, or implementation or maintenance support, in one or more areas of interest to the Phoenix Program. These areas include, but are not limited to:
  + Architect (Cloud (MS Azure), Application, or other)
  + HANA
  + Data Analytics
  + Netweaver Portal
  + User Experience/User Interface Design
  + Fiori App Services
  + Solution Manager
  + SAP Budget and Planning
  + Governance Risk and Compliance
  + SAP SuccessFactors, etc.
* This resource could be primarily located in either the San Francisco or Sacramento office, depending upon Judicial Council need for each resource.

2.2.3 Consultant Resource Utilization:

2.2.3.1 While the Judicial Council expects to utilize Consultant Resources as described in Sections 2.2.1.2 and 2.2.2.1 above, the actual number of Consultant(s) and the type of Consultant(s) utilized will vary depending upon the Judicial Council’s needs throughout the duration of the term of the Legal Agreement.

2.2.3.2 The Judicial Council shall not be obligated to use any number or type of Consultant(s) except as authorized by a work authorization process (“Work Authorization Process”) established and periodically revised, as necessary, by the Judicial Council.

2.2.3.3 The Judicial Council shall have the right under the Legal Agreement to utilize any number of Consultants of any type for any time period and the selected Contractor will be obligated to provide such Consultants when needed.

2.2.3.4 The actual numbers and types of Consultants to be used will generally be specified via the Work Authorization established by the Judicial Council. Please see Attachment 15 for an illustrative example of a “Work Authorization Process” form.

2.2.3.5 Work provided from outside the continental United States, including, but not limited to, remote access to systems and data from outside the continental United States is prohibited unless approved in writing in advance by the Judicial Council. See Attachment 16 for an example of the process and forms required in the unlikely circumstance the Judicial Council authorizes work outside of the continental United States.

**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**:** | February 1, 2021 |
| Deadline for questions submitted to Solicitations@jud.ca.gov | February 11, 2021, No later than 3:00 PM, Pacific Time |
| Pre-proposal Conference | February 18, 2021 |
| Questions and answers posted | February 26, 2021 |
| Latest date and time proposal may be submitted to Solicitations@jud.ca.gov | March 19, 2021, No later than 5:00 PM, Pacific Time |
| Anticipated interview dates (*estimate only*) | March 29 – April 9, 2021 |
| Evaluation of proposals (*estimate only*) | March 22 – April 23, 2021 |
| Technical proposal scores posted? (estimate only) | April 26, 2021 |
| Public opening of cost portion of proposals (estimate only) | April 27, 2021 |
| Notice of Intent to Award (*estimate only*) | April 30, 2021 |
| Negotiations and execution of any contract (*estimate only*) | May 14, 2021 |
| Contract start date (*estimate only*) | June 7, 2021 |
| Contract end date (*estimate only*) | June 30, 2024 |

**4.0 RFP ATTACHMENTS**

The following attachments are included as part of this RFP:

| **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 | The Proposer, if selected, will have to sign this Judicial Council Standard Form Agreement containing terms and conditions substantially in the form of these terms and conditions (the “Terms and Conditions”). If exceptions are identified or additional provisions proposed, the Proposer must also submit a red-lined version of the Terms and Conditions that clearly identifies the benefit to the Judicial Council from the proposed changes and provides a written explanation or rationale for each proposed change. |
| Attachment 3: Proposer’s Acceptance of Terms and Conditions | On this form, the Proposer must indicate acceptance of the Terms and Conditions or identify exceptions to the Terms and Conditions.  **Note: A material exception, as determined by the Judicial Council in its absolute and sole discretion, to any of the Terms and Conditions will render a proposal non-responsive.** |
| 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 the Iran Contracting Act Certification and submit the completed certification with its proposal. |
| Attachment 8: Unruh and FEHA Certification | The Proposer must complete the Unruh Civil Rights Act and California Fair Employment and Housing Act Certification. |
| Attachment 9:  Darfur Contracting Act Certification | The Proposer must complete the Darfur Contracting Act Certification and submit the completed certification with its proposal. |
| Attachment 10:  Bidders Declaration | The Proposer must complete this form if they wish to claim the DVBE incentive associated with this solicitation. |
| Attachment 11:  DVBE Declaration | The Proposer must complete this form only if the Proposer is a DVBE. |
| Attachment 12: | Phoenix Program and Background Information  (This is for informational purposes only) |
| Attachment 13:  Consultants and Titles Form | The Proposer must complete this form and include in their Technical portion of their proposal. |
| Attachment 14:  Cost Proposal | The Proposer must use this template for pricing and must include it in their Cost portion of their proposal |
| Attachment 15: | Example of a Work Authorization Process Form |
| Attachment 16: | Example of the Foreign Country Access Process and Form |

**5.0 PAYMENT INFORMATION**

5.1 Compensation for hours actually worked will be invoiced to the Judicial Council monthly and payment will be made at the hourly rates specified in the awarded contract. Consultant’s actual activities performed for the hours invoiced must be described in sufficient detail for the Judicial Council to satisfactorily verify the work actually performed. The existing vendor accomplishes this by referencing an issue number in a tracking database where the consultant has described the actions taken. Providing such information is a contractual requirement.

5.3 The Judicial Council does not anticipate authorizing any travel and/or living expenses related to any Agreement resulting from this RFP. Nonetheless, if the Judicial Council, in its sole and absolute discretion, authorizes such payment during the term of any Agreement resulting from this RFP, it shall be subject to the Judicial Council’s then current Travel and Living Expense Guidelines.

5.4 In no event will a Prospective Contractor be compensated or reimbursed for any costs, expenses, efforts, or lost opportunities incurred or otherwise experienced as a result of their participation in this RFP.

**6.0 Pre-proposal Conference**

The Judicial Council will hold a pre-proposal conference on the date identified in the timeline above. The pre-proposal conference will be held remotely.

Attendance at the pre-proposal conference is optional. Proposers are strongly encouraged to attend.

**7.0 SUBMISSIONS OF PROPOSALS**

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

7.2 The Proposer must submit its proposal in two parts with associated attachments, the Technical Proposal and the Cost Proposal.

* + 1. Technical Proposal - The Proposer must submit their Technical Proposal as an attachment to an email sent to solicitations@jud.ca.gov.
    2. The Technical Proposal must be signed by an authorized representative of the Proposer.
    3. The Proposer must indicate on the subject line of the submission email the RFP title and number. Also verify the RFP title and number are on the Proposal attachments.
    4. Cost Proposal - The Proposer must submit their Cost Proposal as an attachment to an email sent to [RFP-TCAS-2020-08-LB-COSTS@jud.ca.gov](mailto:RFP-TCAS-2020-08-LB-COSTS@jud.ca.gov).
    5. The Cost Proposal must include all components required per the list of attachments in Section 4.0.
    6. The Proposer must indicate on the subject line of the submission email the RFP title and number. Also verify the RFP title and number are on the Proposal attachments.

7.3 Submission acceptance will be based on the date and time the emails are received by the Judicial Council. Both emails must be received prior to the due date and time or the proposal will not be accepted.

7.4 Late proposals will not be accepted. However, as necessary, the Judicial Council may request clarifications from Proposers after the submission of proposals.

**8.0 PROPOSAL CONTENTS**

8.1 Technical Proposal 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. Organization Background and Experience

Provide a written document describing your organization and specifying its number of years in business. Include a description of up to **three (3)** business engagements where you have provided consultants that provided services substantially similar or identical to those requested here. Describe the dates and duration of these engagements and name the consultants provided. Provide at least one reference name and the contact information for an individual from the organization you serviced who is knowledgeable with the details of the engagement at and who is willing to talk to the Judicial Council regarding this engagement.

* + 1. Describe your organization’s methodology for managing similar engagements, including what characteristics of your organization’s support methodology and internal management processes distinguish you from other vendors that provide these services. Of particular interest are your organization’s internal processes to manage:
       1. Filling Judicial Council requests for resources, including identifying and securing resources and normal internal timelines to do so.
       2. Time tracking against specific work items; for example, what vendor tools are available to show billable hours and specific work completed.
       3. Billing concerns, in the case of discrepancies identified on periodic billing reports.
       4. Resource concerns, in the case of a complaint or issue with an individual consultant.

**NOTE:** Along with the above, provide evidence of the financial solvency or stability of your organization (e.g., balance sheets and income statements from the last 3 years).

* + 1. Consultants Proposed

Currently Utilized Resource Consultants

Provide a list identifying by name a single individual that you are proposing to fill each of the 4 senior-level Currently Utilized Resource Consultant positions (see Section 2.2.1.2). Submit the list in the format given in **Attachment 13**- “Proposed Consultants and Titles Form.” Separately provide a résumé for each individual, providing his or her name and detailing that individual’s educational background, professional qualifications, and actual work experience. Describe the actual roles and responsibilities that that individual has had in providing services identical or substantially similar to those described here in the position descriptions. Résumés to be submitted should endeavor to demonstrate the proposed individual’s ability to provide services specified in 2.2.1.3 through 2.2.1.3.4.

Following submission of your Proposal but prior to the Judicial Council’s execution of any Agreement resulting from this RFP, if a consultant that you have proposed for one of the four Currently Utilized Resource Consultant positions leaves your organization or is otherwise rendered unavailable to work, Contactor must notify the Judicial Council immediately in writing and provide the name and résumé of a replacement consultant, with equal qualifications, you propose and their hourly rate. If the identity of your proposed consultant changes prior to the Judicial Council’s signing of the Agreement, the Judicial Council shall reevaluate and rescore the Work Experience and Educational Qualifications and Cost Proposal area of your Proposal and modify your score. If the change in scoring so dictates, the Judicial Council shall withdraw and revise the posted notice of intent to award.

Following execution of any Agreement, changes in Consultant personnel are governed by the terms and conditions of the Agreement.

* + 1. Additional Consultant Resource(s):

Provide a resume for each of the **five (5)** Additional Resource Consultant positions (see Section 2.2.2.2).

1. SAP Project Manager
2. SAP Quality Assurance Analyst
3. OCM/Training Consultant
4. SAP Business Warehouse Architect/Developer
5. SAP Security Analyst

SAP Specialist Other ***(a resume is not required for this position)***

The résumés you provide should provide a representative sample of the senior (approximately 10 years of experience) individuals that you might provide should the Judicial Council require them. There is no need to submit representative resumes for less-senior resources. If and when the Judicial Council requires Additional Consultant Resources, you will not be required to provide the exact named individuals identified on the résumés you provide, but you will be expected to provide individuals of substantially similar education and work experience at the rates you propose in your Cost Proposal (see below).

* + 1. **Note: Unless a rare exception is granted by the Judicial Council, consultants for each category will work within the continental United States.**

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 clearly identifies the benefit to the Judicial Council from the exception and provides(b) a written explanation or rationale for each exception.

iii. **Note: A material exception, as determined by the Judicial Council at its absolute and sole discretion, to any of the Terms and Conditions will render a proposal non-responsive.**

e. 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. 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.

iii. Copies of the Proposer’s (and any subcontractors’) current business licenses, professional certifications, or other credentials.

iv. Proof of financial solvency or stability (e.g., balance sheets and income statements).

v. The Proposer must complete the Iran Contracting Act Certification (Attachment 7) and submit the completed certification with its proposal.

vi. The Proposer must complete the Unruh Civil Rights Act and California Fair Employment and Housing Act Certification (Attachment 8) and submit the completed certification with its bid.

vii. The Proposer must complete the Darfur Contracting Act Certification (Attachment 9) and submit the completed certification with its proposal

8.2 Cost Portion

Submit your Cost Proposal in the format of the form attached in the RFP as “Attachment 14 Cost Proposal.”

The following information must be included in the cost proposal:

* + 1. For all types of the Consultant positions described (See Sections 2.2.1.2 and 2.2.2.2), provide a firm fixed hourly rate for each position that the Judicial Council will be charged for the performance of the Consultant’s services. The fixed hourly rate is a standard rate regardless of full-time continuous or part-time ad hoc assignment, whether on-site or remote, inclusive of travel to the assigned office at the Judicial Council. In the case of “SAP Specialist Other”, it is not expected that any individual might possess many or more than one of the skills. However, for the purposes of proposal, the Judicial Council expects a single rate that would cover a specialist in any existing or emerging SAP or related technology. Resource time may be billed at a rate lower than published per agreement if appropriate for the specific resource but must not exceed the fixed hourly rate. Billing must be for actual time worked, to the nearest quarter (.25) hour.
    2. The Judicial Council is requesting that bidders submit rates for both a senior resource (greater than 10 years of relevant work experience) and a less-senior resource (greater than 3 but less than 10 years of relevant work experience) for all consultant positions, (20 specific rates are required, as shown in the template in **Attachment 14** - Cost Proposal Submission Form. Failure to do so will render your Proposal non-responsive.
    3. The rates you quote will not be subject to change during the 3-year term of the Agreement. Be advised that the Judicial Council does not pay at a higher rate for overtime, weekend, or holiday work and do not include any provisions to this effect in your cost. Any language in your proposal that qualifies or seeks to modify your hourly rate in any manner or impose overtime or other additional charges or fees will be disregarded when your Cost Proposal is evaluated.
    4. In determining your hourly rates, please take the following into consideration. The Judicial Council does not anticipate reimbursing the selected Contractor for any travel and/or living charges incurred by Contractor’s consultants when such charges are accrued for travel to or from the consultant’s residence to their regularly assigned location. Nonetheless, if the Judicial Council, in its sole and absolute discretion, authorizes such payment during the term of any Agreement resulting from this RFP, it shall be subject to the Judicial Council’s then current Travel and Living Expense Guidelines.
    5. All hourly rates shall remain firm fixed for the full duration of the Initial Term. If the Judicial Council elects to exercise an option term, and the Contractor makes a written request for an adjustment to the hourly rates before the option term is exercised, and the Judicial Council agrees to the adjustment, hourly rates may not increase by more than the lesser of 3% or the average percentage change in the Employment Cost Index for total compensation, for private industry workers, by occupational group and industry, service-providing industries, over the prior twelve (12) month period. If Contractor does not request an increase before the extension option is exercised, the then-current rates will remain in effect for the option year.  Any adjustment shall not be retroactive to a prior year. Except for such rate increases, rates shall remain firm fixed for the duration of the option term.

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

**9.0 OFFER PERIOD**

A Proposer's proposal is an irrevocable offer for one hundred twenty (120) days following the proposal due date. In the event a final contract has not been awarded within this period, the Judicial Council reserves the right to negotiate extensions to this period.

**10.0 EVALUATION OF PROPOSALS**

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

The Judicial Council 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 <http://www.courts.ca.gov/rfps.htm>.

| **CRITERION** | **maximum number of points** |
| --- | --- |
| **Organization Background and Experience**  Experience of the proposing organization based upon evaluation of the description of support methodology, internal management processes and similar projects provided in your Proposal. | 15 |
| **List of Consultants Proposed and Resumes**  The quality of the consultants proposed to provide the services as judged by their educational background, training and past work experience. | 35 |
| **Cost**  Comparison of the expected total costs of proposers, based upon the expected hours for the first engagement of consultants by the Judicial Council priced at Contractor’s quoted hourly rates. | 42 |
| Acceptance of the Terms and Conditions | 5 |
| (“DVBE”) Incentive Disabled Veterans Business Enterprise incentive is available to qualified proposers. | 3 |

**11.0 INTERVIEWS**

The Judicial Council may conduct interviews with Proposers to clarify aspects set forth in their proposals or to assist in finalizing the ranking of top-ranked proposals. The interview process may require a demonstration. The interview may also require a demonstration of equivalence if a brand name is included in the specifications. The interviews may be conducted in person, by phone, or remotely, e.g., Microsoft Teams. If conducted in person, interviews will likely be held at the Judicial Council’s offices. The Judicial Council will not reimburse Proposers for any costs incurred in traveling to or from the interview location. The Judicial Council will notify eligible Proposers regarding interview arrangements.

**12.0 CONFIDENTIAL OR PROPRIETARY INFORMATION**

**Proposals are subject to disclosure 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 may 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 information that they consider to be confidential, proprietary, or privileged, or otherwise would not like to potentially become public, in their proposals.

**13.0 DISABLED VETERAN BUSINESS ENTERPRISE INCENTIVE**

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

Eligibility for and application of the DVBE incentive is governed by the JBE’s DVBE Rules and Procedures. Proposer will receive a DVBE incentive if, in the JBE’s sole determination, Proposer has met all applicable requirements. If Proposer receives the DVBE incentive, a number of points will be added to the score assigned to Proposer’s proposal. The number of points that will be added is specified in Section 10.0 above.

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

If Proposer wishes to seek the DVBE incentive:

1. Proposer must complete and submit with its proposal the Bidder Declaration (Attachment 10). 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 11) 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.

**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.**

**14.0 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.**

**15.0 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:

Judicial Council of California

Branch Accounting and Procurement

Attention: Protest Hearing Officer

455 Golden Gate Avenue, 6th Floor

San Francisco, CA 94102-3688

RFP No: TCAS-2020-08-LB Phoenix SAP System Integration Support