

RFP Title: Designing and User-Testing Court Forms
RFP Number: CFCC-2019-16-CD

REQUEST FOR PROPOSALS

JUDICIAL COUNCIL OF CALIFORNIA

REGARDING:

Designing and User-Testing Court Forms

RFP No. CFCC-2019-16-CD

PROPOSALS DUE:

NOVEMBER 19, 2019 NO LATER THAN ***3:00 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 policy-making body for the California court system. The California Constitution directs the JCC 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 JCC creates court forms for statewide use in California. Currently there are over 1,300 fillable JCC forms available for use. People representing themselves often rely on these forms throughout their court case. It is important that JCC forms are legally accurate, easy to understand and easy to use. This project will focus on JCC court forms used in cases involving domestic violence.
- 1.3 The JCC intends to award one (1) Agreement with the initial term of approximately nine (9) months with the possibility of a one-year extended term. The JCC in its sole discretion may extend the term prior to the expiration of the initial term. If the term is extended by the JCC, the selected Proposer will design another set of 15-20 JCC court form and complete the same deliverables provided in Section 2.0 subject to new deadlines which will be communicated to the vendor.

2.0 DESCRIPTION OF SERVICES AND DELIVERABLES

- 2.1 The Judicial Council seeks a qualified vendor with professional user-centered design skills and a general understanding of the court process for civil domestic violence restraining order cases. The successful vendor will:
 - A. Design court forms that are accessible, user-friendly and backed by user research. The primary goal is to redesign existing court forms to make the forms easier to complete while being legally accurate and to minimize retraumatization that may occur when completing the forms;
 - B. Focus on a redesign of a number of forms from the Domestic Violence Prevention, Civil Harassment Prevention, and Elder Abuse Prevention form sets;
 - C. Include user-testing at various locations throughout California;
 - D. Incorporate changes to prototypes based on user feedback at different stages of the project;
 - E. Develop a research plan for user-testing of forms; and

RFP Title: Designing and User-Testing Court Forms

RFP Number: CFCC-2019-16-CD

- F. Participate in planning meetings on calls with staff and JCC committees. Some in-person planning meetings will be required and will be held at the JCC offices in San Francisco or another agreed upon location.

All JCC forms are created using Adobe Experience Manager (AEM). Proficiency in AEM is desirable but not required. Vendor should have experience working in one or more form design program.

2.2 Performance Timeline

Below is an estimate of the deadlines for deliverables. Actual deadlines may change and will be communicated to vendor.

Deliverables	Description	Estimated Completion Date
1.	Prototype revisions of 15-20 Domestic Violence and other protective order forms identified by the Judicial Council forms. Submit to Project Manager.	January 6, 2020
2.	Incorporate changes suggested by Project Manager into revised forms for testing. Submit to Project Manager.	January 24, 2020
3.	User test prototypes with at least 45 self-represented litigants or other identified users of JCC forms (e.g. helpers, court staff, judicial officers) at 5-7 court self-help centers or domestic violence service providers who serve self-represented litigants seeking or responding to restraining orders. Provide appropriate supplies for user-testing. At least 2 locations must be in Northern California, 1 must be in Central California and 2 in Southern California. Submit report on findings to Project Manager.	March 15, 2020
4.	Attend at least 3 planning calls with JCC committees to discuss prototypes and make changes based on committee feedback. Incorporate committee feedback into final draft of selected forms to be released for public comment. Submit to Project Manager.	March 15, 2020
5.	Work with JCC staff to get feedback from at least 5 community organizations and stakeholders on draft forms which are being circulated for comment. Submit report to Project Manager.	June 15, 2020

RFP Title: Designing and User-Testing Court Forms

RFP Number: CFCC-2019-16-CD

Deliverables	Description	Estimated Completion Date
6.	Work with JCC staff and committees to draft final forms for JCC approval based on comments received. Submit proposed revisions to Project Manager.	August 3, 2020

3.0 TIMELINE FOR THIS RFP

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

EVENT	DATE
RFP issued	October 30, 2019
Deadline for questions submitted to: solicitations@jud.ca.gov	November 8, 2019 no later than 3:00pm PST
Questions and answers (estimate only)	November 12, 2019
Latest date and time proposal may be submitted	November 19, 2019 no later than 3:00pm PST
Evaluation of proposals (<i>estimate only</i>)	November 20-25, 2019
Notice of Intent to Award (<i>estimate only</i>)	November 26, 2019
Negotiations and execution of contract (<i>estimate only</i>)	November 27 – December 6, 2019
Contract start date (<i>estimate only</i>)	December 9, 2019
Contract end date (<i>estimate only</i>)	August 31, 2020

4.0 RFP ATTACHMENTS

The following attachments are included as part of this RFP:

RFP Title: Designing and User-Testing Court Forms

RFP Number: CFCC-2019-16-CD

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: Payee Data Record Form	This form contains information the JBE requires in order to process payments and must be submitted with the proposal.
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	Complete this form only if the Proposer wishes to claim the DVBE incentive associated with this solicitation.

5.0 PAYMENT INFORMATION

The initial contract will be comprised of six (6) deliverables with a firm fixed price per deliverable. The compensation outlined for the initial contract may not exceed **\$20,000.00** inclusive of all expenses, including travel expenses and focus group supplies. The possible one-year extension term, if elected by the JCC, would be comprised of the same six (6) deliverables contained in the initial contract with maximum compensation of \$20,000.00 inclusive of all expenses, including travel expenses and focus group supplies. The amount for this project, including the possible one-year extended term, may not exceed \$40,000.00. Subject to the terms in Attachment 2, Appendix B, and Payment Provisions, the selected Vendor will be paid on a firm-fixed price per Deliverable basis.

RFP Title: Designing and User-Testing Court Forms

RFP Number: CFCC-2019-16-CD

The Selected Vendor shall submit invoices upon satisfactory completion of services for each deliverable outlined in Section 2. Invoice shall include, in detail, all costs and applicable charges.

The payment term is Net 60 days from the receipt of correct invoice.

Payment will be made after completion of deliverables as follows:

Payment Number	Billable Activity	Estimated Maximum Firm Fixed Amount	Invoice Due Date
#1	Completion of Deliverable #1	\$4,000	April 30, 2020
#2	Completion of Deliverable #2	\$1,000	June 30, 2020
#3	Completion of Deliverable #3	\$7,000	August 30, 2020
#4	Completion of Deliverable #4	\$3,000	August 30, 2020
#5	Completion of Deliverable 5	\$2,000	September 30, 2020
#6	Completion of Deliverable 6	\$3,000	October 31, 2020

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 technical proposal and the cost proposal.

- a. The Proposer must submit **one (1) original and three (3) copies** of the technical proposal. The original must be signed by an authorized representative of the Proposer. The original technical proposal (and the copies thereof) must be submitted to the JCC in a single sealed envelope, separate from the cost proposal. The Proposer must write the RFP title and number on the outside of the sealed envelope.

RFP Title: Designing and User-Testing Court Forms

RFP Number: CFCC-2019-16-CD

- b. The Proposer must submit **one (1) original and three (3) copies** of the cost proposal. The original must be signed by an authorized representative of the Proposer. The original cost proposal (and the copies thereof) must be submitted to the JBE in a single sealed envelope, separate from the technical proposal. The Proposer must write the RFP title and number on the outside of the sealed envelope.
- 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: Sheryl Berry
RFP # CFCC-2019-16-CD
455 Golden Gate Avenue, 6th Floor
San Francisco, CA 94102

- 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 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.

RFP Title: Designing and User-Testing Court Forms

RFP Number: CFCC-2019-16-CD

- d. Resume 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.
- e. Statement of Proposer's experience on similar assignments.
- f. At least two examples of materials developed by Proposer on similar assignments.
- 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 2.2.
- 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, 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 (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. 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 Proposal. The following information must be included in the cost proposal.

RFP Title: Designing and User-Testing Court Forms

RFP Number: CFCC-2019-16-CD

- i. A detailed line item budget for each deliverable(s) described in Section 2.0 and the costs shall not exceed estimated maximum firm fixed amount.
- 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 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	25
Reasonableness of cost projections. Proposals will be evaluated in terms of reasonableness of cost, best value, and proposed rate structure.	30
Qualifications of vendor based on resumes submitted including experience, expertise	7

CRITERION	MAXIMUM NUMBER OF POINTS
and credentials, if any.	
Acceptance of the Terms and Conditions	10
Ability to meet timing requirements to complete the project	5
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 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.

RFP Title: Designing and User-Testing Court Forms

RFP Number: CFCC-2019-16-CD

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

RFP Title: Designing and User-Testing Court Forms

RFP Number: CFCC-2019-16-CD

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 set forth in Section 3.0. (Indicate Solicitation Number and Name of Your Firm on lower left corner of envelope.) Protests must be sent to:

Judicial Council of California
Branch Accounting and Procurement
ATTN: Protest Hearing Officer
RFP#: CFCC-2019-16-CD
455 Golden Gate Avenue, 6th Floor
San Francisco, CA 94102