

RFP Title: Producing Training Webinars on Domestic Violence and Tribal Courts
RFP Number: CFCC-2020-25-CD

REQUEST FOR PROPOSALS

JUDICIAL COUNCIL OF CALIFORNIA

REGARDING:

**Producing Training Webinars on Domestic Violence
and Tribal Courts**

RFP No. CFCC-2020-25-CD

PROPOSALS DUE:

NO LATER THAN MARCH 22, 2021 AT **3:00 P.M. PACIFIC TIME**

1.0 BACKGROUND INFORMATION

- 1.1** The Judicial Council of California, chaired by the Chief Justice of California, is the policy-making body for the California court system. The California Constitution directs the Judicial Council to improve the administration of justice by surveying judicial business and recommending improvements to the courts; and adopting rules for court administration.
- 1.2** The Center for Families, Children, and the Courts (CFCC) is a division within the Judicial Council. The CFCC is dedicated to improving the quality of justice and services to meet the diverse needs of children, youth, and families. To that end, CFCC develops and provides education for multidisciplinary audiences, including judges, court staff, attorneys, social workers, and probation officers.
- 1.3** The Judicial Council intends to award one or more Agreements, each with an initial term of approximately six (6) months and with the possibility of a one-year extended term for each Agreement. The Judicial Council in its sole discretion may offer to extend the term of the Agreement prior to the expiration of the initial term. If the term is extended by the Judicial Council, the selected Proposer(s) may agree to produce 1-6 additional webinars and complete the same deliverables provided in Section 2.0 subject to new deadlines set by the Judicial Council.
- 1.4** A Proposer is not required to bid on all topic areas. A Proposer may specify in their bid how many webinars the proposer would be able to complete within the time frames specified and which subject areas the proposer is most interested in and qualified for.

2.0 DESCRIPTION OF SERVICES AND DELIVERABLES

- 2.1** The Judicial Council seeks one or more qualified and experienced Proposers to produce and deliver completed training webinars to be used for education within the California state and tribal court systems. The goal of these webinars is to educate court system participants about the issues of domestic violence in tribal communities, the jurisdictional issues between state, federal and tribal jurisdictions involved in prosecuting domestic violence occurring on tribal lands in California, the need for pro bono attorneys to assist victims when matters proceed in federal and state courts, what practice in tribal court looks like and requires, and how to ensure tribal court orders are effective to protect victims of domestic violence. Each webinar will be no longer than 60 minutes.
- 2.2** The successful Proposer(s) must work with CFCC staff to ensure that the webinar(s) meet the grant funding requirements including content, sign in sheets and evaluations. The successful Proposer(s) will be expected to deliver edited versions of the recorded live webinar including full transcripts for posting on the

CFCC website. The successful Proposer(s) will be asked to produce webinars on one or more of the following topics:

- 1. Nature of the problem of domestic violence in tribal communities in California.** This training webinar will outline the nature and scope of the problem of domestic violence, sexual assault, stalking and trafficking in tribal communities, and the challenges in prosecuting crimes that occur on tribal lands in California due to jurisdictional issues;
- 2. General Orientation to Tribal Courts in California as relevant to issues of Domestic Violence, sexual assault, stalking and trafficking.** Building on the earlier webinar, this webinar will give an overview of tribal sovereignty, jurisdiction on tribal lands in California, and Public Law 280. This webinar should also provide an overview of tribal courts in California including jurisdiction; how they operate; and practices and procedures for attorneys appearing in tribal courts.
- 3. Full Faith and Credit and Enforcement of Tribal Court Protective Orders.** This webinar will discuss issues of enforcement; legal requirements for full faith and credit under federal law; and steps that should be taken to ensure that victims are most effectively protected when a tribal court issues protective order in California.

2.3 The successful Proposer(s) will:

- a. Have demonstrated knowledge and experience with the topics identified;
- b. Have demonstrated knowledge and experience developing educational materials and curriculum for a legal audience including judicial officers, court staff and attorneys; and
- c. Have demonstrated knowledge and experience conducting live webinars and trainings.

2.4 The Proposer must:

- a. Identify the platform that will be used to deliver the webinar(s), and how this platform will ensure that the Proposer(s) will be able to record the event. Platforms must meet Judicial Council standards for security and compatibility with Judicial Council systems;
- b. Publicize live webinar at least three weeks prior to the event;
- c. Describe how sign-in of participants and post-webinar evaluation from participants will be achieved;
- d. Identify and secure faculty for webinars;
- e. Record and edit live webinar, as needed, for posting; and
- f. Describe how to provide a recording of webinar in a format consistent with Judicial Council standards, for posting by CFCC and provide a written transcript in word format.

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

Deliverables	Description	Completion Date
1.	Develop outline of training content and identify qualified presenters.	May 21, 2021
2.	Confer with JCC staff. Incorporate revisions and edits and present final training content and materials.	June 18, 2021
3.	Conduct live webinar(s) during the month of June in 2021.	No later than September 10, 2021
4.	Deliver to JCC staff completed participant evaluations, sign in sheets, edited recorded webinar and full transcript for posting	September 30, 2021

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	March 3, 2021
Deadline for questions to: solicitations@jud.ca.gov	March 10, 2021 by 3:00 pm (PST)
Questions and answers (estimate only)	March 15, 2021
Latest date and time proposal may be submitted	March 22, 2021 by 3:00 pm (PST)
Evaluation of proposals (estimate only)	March 23-25, 2021
Notice of Intent to Award (estimate only)	March 26, 2021
Negotiations and execution of contract (estimate only)	March 27 –April 2, 2021
Contract start date (estimate only)	April 5, 2021
Contract end date	September 30, 2021

4.0 RFP ATTACHMENTS

The following attachments are included as part of this RFP:ATTACHMENT	DESCRIPTION
Attachment 1: Administrative Rules Governing RFPs (Non-IT Services)	These rules govern this solicitation.
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.
Attachment 9: List of Topics	The Proposer must complete and submit the completed form with its proposal.

5.0 PAYMENT INFORMATION

The initial contract will be comprised of four (4) deliverables with a firm fixed price per deliverable. The compensation outlined for the initial contract may not exceed **\$5,000.00 one webinar for each topic**, including travel, any payment or honorarium for faculty, licensing for webinar platform, and all other expenses. **Proposer may bid on one or**

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more webinars. The amount for this project, may not exceed **\$15,000.00** (three webinars multiplied by **\$5,000.00**, the maximum allowed per webinar). Subject to the terms in Attachment 2, Appendix B, and Payment Provisions, the selected Contractor will be paid on a firm-fixed price per Deliverable basis.

The JBE shall have the right to withhold fifteen percent (15%) of each such payment until the JBE accepts the final Deliverable.

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	Maximum Firm Fixed Amount	Invoice Due Date
1	Completion of Deliverable #1: Development of outline of training content and identification of qualified presenters	\$1,000.00 per webinar	May 21, 2021
2	Completion of Deliverable #2: Confer with JCC staff. Incorporate revisions and edits and present final training content and materials.	\$1,000.00 per webinar	June 18, 2021
3	Completion of Deliverable #3: Conduct live webinar(s).	\$2,000.00 per webinar	September 10, 2021
4	Completion of Deliverable #4: Deliver participant evaluations, sign in sheets, edited recorded webinar including full transcript for posting.	\$1,000 per webinar	September 30, 2021

6.0 SUBMISSIONS OF PROPOSALS

- 6.1 Proposals should provide straightforward, concise information that satisfies the requirements of the “Proposal Contents” section below. Emphasis should be placed on conformity to the RFP’s instructions and requirements, and completeness and clarity of content.
- 6.2 The Proposer must submit its proposal in two parts with associated attachments, the Technical Proposal and the Cost Proposal.
 - 6.2.1. **Technical Proposal** - The Proposer must submit via email their Technical Proposal as a separate Attachment from the Cost Proposal to the Solicitations mailbox at solicitations@jud.ca.gov. The Technical Proposal must be signed by an authorized representative of the Proposer. The Proposer must indicate on the Subject line of the submission email the RFP title and number and also indicate the RFP number and title on the Proposal attachments.
 - 6.2.2 **Cost Proposal** - The Proposer must submit via email their Cost Proposal as a separate Attachment from the Technical Proposal to the Solicitations Mailbox at solicitations@jud.ca.gov. The Cost Proposal must include all components required in Section 2. The Proposer must indicate on the Subject line of the submission email the RFP title and number and also indicate the RFP number and title on the Proposal attachments.
- 6.3 Submission acceptance will be based on the date and time the emails are received by the Judicial Council. Both emails must be received no later than the due date and time or the proposal will not be accepted.
- 6.4 Only written proposals via email will be accepted. Proposals may not be transmitted by fax.

7.0 PROPOSAL CONTENTS

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

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- 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.
- 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 this RFP, Section 2.0.
- e. Statement of Proposer's experience on similar assignments.
- f. Proposed Work Plan based on this RFP, Section 2.0: Description of Services and Deliverables, including timeframe for completion for all proposed tasks, using the general deadlines provided in Section 2.4.
- g. Acceptance of the Terms and Conditions.
 - i. On Attachment 3, the Proposer must check the appropriate box and sign the form. If the Proposer marks the second box, it must provide the required additional materials. 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.
- h. Certifications, Attachments, and other requirements.
 - i. The Proposer must complete the General Certifications Form (**Attachment 4**) and submit the completed form with its proposal.
 - ii. The Proposer must complete the 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.

iv. The Proposer must complete **Attachment 9**, List of Topics and submit the completed form with its proposal.

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

- i. A detailed line item budget for each deliverable(s) described in Section 2.0 and the costs shall not exceed 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 Deliverables (<i>Section 2.0.</i>)	20
Experience on similar assignments	25
Cost	30
Qualifications of Proposer based on resumes submitted including experience, expertise and credentials, if any.	7
Acceptance of the Terms and Conditions	10
Ability to meet timing requirements to complete the project	5
Disabled Veteran Business Enterprise Incentive (<i>Section 12.0</i>)	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 via phone or WebEx. 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. 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 MISREPRETATION IN CONNECTION WITH THE DVBE INCENTIVE IS A MISDEMEANOR AND IS PUNISHABLE BY IMPRISONMENT OR FINE, AND VIOLATORS ARE LIABLE FOR CIVIL PENALTIES. SEE MVC 999.9.

13.0 PROTESTS

Any protests will be handled in accordance with Chapter 7 of the Judicial Branch Contracting Manual (see 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-2020-25-CD
455 Golden Gate Avenue, 6th Floor
San Francisco, CA 94102

(Indicate Solicitation Number and Name of Your Firm on lower left corner of envelope.)