

RFP Title: Case Management Billing Solution for Juvenile Dependency Attorneys  
in the State of California  
RFP Number: CFCC-2021-107RB

# REQUEST FOR PROPOSALS

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**JUDICIAL COUNCIL OF CALIFORNIA  
CENTER FOR FAMILIES, CHILDREN & THE COURTS**

**REGARDING:**

Case Management Billing Solution for Juvenile Dependency  
Attorneys in the State of California  
CFCC-2021-107RB

**PROPOSALS DUE:**

December 3, 2021 NO LATER THAN 3:00 P.M. PACIFIC TIME

## 1.0 BACKGROUND INFORMATION

- 1.1 The Judicial Council of California (referred to herein as JBE or JCC), chaired by the Chief Justice of California, is the chief policy making agency of the California judicial system. The Center for Families, Children & the Courts (“CFCC”) is dedicated to improving the quality of justice and services to meet the diverse needs of children, youth, families, and self-represented litigants in the California courts.
- 1.2 CFCC has implemented the Federally Funded Dependency Representation Program to further the goal of improving the quality of court-appointed counsel in juvenile dependency proceedings and maximizing the resources available for those services.

## 2.0 DESCRIPTION OF GOODS AND/OR SERVICES

### 2.1 Purpose

The JCC seeks written proposals for a solution and accompanying professional services of a person or entity with expertise in hosting and maintaining a web-based caseload management system (CMS) that generates invoices and maintains legacy data and reporting.

The purpose of this Project is to provide dependency attorneys access to a web-based solution that will **not** be hosted locally at a JCC facility. Proposers should clearly indicate in the proposal whether they are proposing a vendor Software As A Service, a locally deployed system, or both. This Request for Proposal (RFP) is the means for prospective service providers to submit their qualifications and request selection as a service provider.

### 2.2 Goal

The primary goal of the RFP is ensuring that dependency attorneys are provided access to a modern CMS that improves the quality, accuracy, and consistency of caseload information.

The proposed solution must:

- Maintain legacy data and provide user access to caseload information within two months of signing the contract,
- Generate reports using current caseload data as well as legacy data,
- Interface and map caseload and provider documents among multiple systems to reduce duplicate data entries,

- Secure, archive, and protect invoice files, i.e., personnel records, operational expenses, travel, etc. in a queue that tracks the providers invoices submissions and maintains the program reimbursement review process, and
- Provide ongoing system maintenance and support, including hosting virtual or in-person training of personnel who may utilize the system.

**Summary:**

<b>Component</b>	<b>Essential Technology or Service</b>
Solution /Application	<ul style="list-style-type: none"> <li>• Compliant with Business &amp; Functional / Non-Functional Requirements, (Appendix A).</li> <li>• Current with state laws, federal regulations, rules of court, and administrative requirements.</li> <li>• Compliant with United States Section 508 of the Rehabilitation Act (29 U.S.C. 794d), as amended by the Workforce Investment Act of 1998.</li> <li>• Identification information will not be distributed, sold, or mined without the express written consent of the customer.</li> <li>• Responsive to changes in state laws, federal regulations, rules of court, and administrative requirements.</li> <li>• Scalable solution to accommodate JCC, current CMS vendor, and third-party user’s data volume.</li> <li>• Ability to interface technology with any vendor’s database management system and map caseload information.</li> <li>• Web-based and ADA Compliant.</li> <li>• Alerts, monitoring &amp; Notification should have classification and threshold rules and include: <ul style="list-style-type: none"> <li>○ Monitoring 24/7 for system availability to ensure SLA relay notifications to a distribution list based on threshold rules.</li> <li>○ Provide advance notification of major system downtime.</li> </ul> </li> <li>• Configurable workflow to actively process cases using automated and manual work queues (also see Appendix C).</li> <li>• Security <ul style="list-style-type: none"> <li>○ All users must be uniquely identifiable.</li> <li>○ All users must be authenticated.</li> <li>○ Authentication must be able to support advance</li> </ul> </li> </ul>

	<p>authentication methods such as multi-factor authentication</p> <ul style="list-style-type: none"><li>○ All users access must be authorized based on their role.</li><li>○ System supports password management policies.<ul style="list-style-type: none"><li>- Set password complexity level,</li><li>- Set timeframe when password change is required,</li><li>- Force lock after x number of attempts</li><li>- Allow administrators to disable accounts,</li><li>- Allow self-service password to reset.</li><li>- Support session timeout.</li></ul></li><li>● Data security<ul style="list-style-type: none"><li>○ Data at rest must be securely protected (i.e., encrypted).</li><li>○ Data in transit must securely transmitted (i.e., encrypted).</li><li>○ All Personally Identifiable Information (PII) must be securely protected.</li></ul></li><li>● System shall not:<ul style="list-style-type: none"><li>a) Perform any of its obligations from locations or using employees, contractors and/or agents situated outside the United States, or</li><li>b) Directly or indirectly (including using subcontractors) store any Data outside the United States, nor will the Contractor allow any Data to be accessed by Contractor's employees, contractors and/or agents from locations outside the United States, without prior written consent of the JCC.</li><li>c) Require any client-side installs.</li><li>d) Require any plug-ins or Active X controls.</li></ul></li><li>● Proposed solution, all sub-components, and associated hardware and software are in compliance with remote hosting requirements and the Business and Functional/ Non-Functional Requirements for the JCC (see Appendix A).</li><li>● Available Service Support levels, 24x7.</li><li>● Systems management set forth in Appendix A.</li><li>● The solution shall have a Recovery Point Objective (RPO) of no more than 1 hour.</li><li>● The solution shall have a Recovery Time to Operations (RTO) of no more than 24 hours.</li><li>● Third Party Software requirements.</li><li>● System will have online systems training documentation / support materials including courses (if needed) for administrators and users.</li></ul>
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<p><b>Deployment Services</b></p>	<ul style="list-style-type: none"> <li>• Deployment approach that includes: <ul style="list-style-type: none"> <li>○ Deployment Plan,</li> <li>○ Training Plan,</li> <li>○ Integration Plan,</li> <li>○ Data Conversion Plan, and</li> <li>○ Cutover Plan.</li> </ul> </li> <li>• Proposer resources for implementation, testing, training, and cutover activities: <ul style="list-style-type: none"> <li>○ Environment Specifications,</li> <li>○ Implementation Services,</li> <li>○ Baseline Configuration,</li> <li>○ Administration,</li> <li>○ Documentation,</li> <li>○ Testing of Business Functionality and Validation using valid business cases with known and expected results (see Appendix A).</li> <li>○ Integration testing,</li> <li>○ End-User Training/Knowledge Transfer,</li> <li>○ User Acceptance planning, coordination, testing and JCC acceptance,</li> <li>○ Go-Live Support,</li> <li>○ Post-implementation support and project closeout.</li> </ul> </li> </ul>
<p><b>Maintenance and Support</b></p>	<ul style="list-style-type: none"> <li>• Maintenance and support that complies with JCC Standard Terms and Conditions (Attachment 2) which shall include but not be limited to: <ul style="list-style-type: none"> <li>○ Application Software Licensing,</li> <li>○ 24/7 Application Support and Technical Support for hosted solution,</li> <li>○ Assignment of a delivery manager, as a single point of contact,</li> <li>○ Disaster Recovery Testing. Solution will conduct at minimum an annual disaster recovery exercise to ensure system survivability.</li> <li>○ On-line training and support materials including courses (if needed) available to user and administrators.</li> <li>○ Provision of periodic maintenance, legislative updates, and security upgrades per service-level standards and support agreements.</li> </ul> </li> </ul>

	<ul style="list-style-type: none"> <li>○ Global configuration changes necessary to support business changes (also see Appendix A).</li> <li>○ Emergency support for break-fix situations via alerts &amp; notifications.</li> </ul>
<b>Warranty</b>	<ul style="list-style-type: none"> <li>● Service Warranty that complies with the JCC Standard Terms and Conditions (Attachment 2).</li> <li>● Licensed Software Warranty that complies with the JCC Standard Terms and Conditions (Attachment 2).</li> </ul>

Additional information and documents pertaining to this solicitation, including electronic copies of the solicitation documents, can be found on the California Courts Website located at [www.courts.ca.gov/rfps.htm](http://www.courts.ca.gov/rfps.htm) (“Court’s Website”)

### 2.3 Term

The JCC expects the selected person or entity submitting a proposal (“Proposer”) to perform activities and responsibilities associated with the solicitation for ten (10) years. The Initial Term will be for five (5) years, with the JCC’s option to extend for five (5) additional one-year terms.

### 2.4 Scope

The scope of this RFP is to obtain a solution, comprehensive of caseload management services, invoicing and reporting, licensing, and application hosting for juvenile dependency practitioners in the state of California, capable of database management system interfaces and exchanges.

### 2.5 The implementation of the solution includes:

- Providing application software that meets the Business and Functional/ Non-Functional Requirements for the JCC (see Appendix A).
- A minimum of 99.9% uptime.
- Configuring and testing the application, and its legacy data according to the business rules of the JCC.
- Maintaining the application for changes in regulatory requirements, application enhancements, common configuration changes, and fixing program defects.
- Cutover and post go-live services.
- Working in cooperation with the JCC and any other necessary contractors to make the application available in a manner that ensures a high quality of service to users on multiple platforms, including mobile devices.

## 2.6 Hosting Solution includes:

- Providing a secure hosting infrastructure to run the application using modern proven technology that is in compliance with the remote hosting requirements, database management system exchanges, and the Business and Functional/ Non-Functional Requirements for the JCC (see Appendix A).
- Working in cooperation with the JCC and any other necessary contractors, in making the solution available in a manner that assures a high quality of service to users.
- Providing application configurations.

## 2.7 Deployment Services

It is the aim of the JCC to appoint an experienced Contractor capable of executing an efficient project within the agreed-upon schedule and budget. Proposers should prepare a deployment approach and implementation plan that will meet the high-level tasks for this Project. The deployment approach must be described in Appendix F and should include resource loading necessary for implementation activities.

### 2.7.1 Deployment Approach:

- Implementation Plan: Proposers must provide a detailed implementation plan that includes the following necessary JCC staff and required skill sets:
  - Implementation timeline not to exceed 2 months,
  - Software loads,
  - Base system ready date,
  - Resources and responsibilities,
  - Base system setup,
  - Business process change strategy,
  - Testing strategy,
  - Training strategy,
  - Planned communication to stakeholders,
  - Go-Live support approach and planning,
  - Risk analysis and contingency planning, and
  - Post-implementation approach and support planning.
- Contractor Resources and Implementation Activities:
  - Implementation Services: Contractor and the JCC will implement the user acceptance test and production environments solution. Contractor and the JCC will execute the implementation plan defined—that includes an emphasis on implementation, cut-over, risk and contingency planning, post-implementation support planning, and knowledge transfer and transition strategy.

- Administration: Contractor will train the JCC staff in the:
  - Administration,
  - System,
  - Updating,
  - Tuning, and troubleshooting procedures
- Reports and Forms: The Contractor is responsible to work with the current CMS vendor to identify reports and forms required as well as codified values that should be included in the application configuration.
- Documentation: The Contractor is responsible for creating the standard online systems documentation for administrators and users. The Contractor working with the JCC will create user and system administration manuals that are required by the JCC.
- Testing of Business Functionality and Validation: The Contractor and the JCC will train several groups of testers in the use of the system using the approved configuration and documentation. The testers with Contractor business leads will then conduct system testing and validation of the configuration. They will draw from their experience and use the test cases created by the Contractor, working with subject matter experts. Configuration and application fixes will be regression tested and re-examined by testers with the assistance of Contractor business leads until testing results meet the agreed upon exit criteria.
- End User Training / Knowledge Transfer: The Contractor will train the JCC trainers through acceptance. The JCC trainers utilizing Contractor-provided core documentation will create, with Contractor's assistance, the training program, including documentation as desired. Training programs should include but not be limited to:
  - Baseline End-User Training
  - System Administration Training
- Go-Live Support: The Contractor will provide resources for go-live activities ensuring a seamless business transition utilizing the new application.
- Post Implementation Support and Project Closeout: The Contractor will provide business and technical support of the application to ensure a successful implementation by the user community. The Contractor will provide application support, track, and resolve issues that are uncovered, perform any necessary system tuning to maintain acceptable system performance per Service Level Requirements (Attachment 2) finalize technical documentation, and finalize knowledge transfer to the JCC. The Proposer will perform project closeout tasks and document lessons learned.



- Guidelines for Deployment Services Deliverables: The goal of this Project is to have a new application installed and configured within two (2) months after a contract is signed. Based upon these goals and the capacity of your company, prepare a deployment schedule, project plan, and deployment budget. Proposers must respond directly into Appendix A; the following list is included as examples to help proposers with aspects of deployment.
  - Describe your implementation planning (including project management) process.
  - Describe your recommendation for roles your company personnel will assume and the roles that JCC staff should assume in the implementation process.
  - Describe your process for coordinating user acceptance.
  - Describe your process for change management.
  - Describe your process for critical defect scenarios.
  - Describe your process for coordinating software upgrades and version management.
  - Describe the process employed to track and report progress in system deployment.
  - Describe the process and standards employed in determining when phases of deployment are satisfactorily completed.
  - Describe the process involved in implementing any required state and local configurations, e.g., implementation of state statutes and rules, creation of standard state documents, state calendar, etc. Include any JCC personnel required to accomplish the task.

### 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	November 17, 2021
Deadline for questions. Send email to Solicitations@jud.ca.gov (insert RFP Number in email subject line)	November 22, 2021, 3:00 P.M. (PT)
Pre-proposal Conference: Register for Pre-proposal conference (Q & A session) via email. Include the RFP Number in the subject line of an email to: Solicitations@jud.ca.gov	November 24, 3:00 P.M (PT)]

EVENT	DATE
Questions and answers posted (estimate only)	November 29, 2021, 2pm PT
Proposer Solicitation Specifications Protest Deadline	November 29, 2021, 5pm PT
Latest date and time proposal may be submitted	December 3, 2021, 3:00 P.M. (P.T.)
Anticipated interview dates (estimate only)	December 6 to 10, 2021
Evaluation of proposals (estimate only)	December 6 to 14, 2021
Public opening of cost portion of proposals	December 15, 2021 11:00 A.M. (P.T.)
Notice of Intent to Award (estimate only)	December 16, 2021
Negotiations and execution of contract (estimate only)	December 17 to 31, 2021
Contract start date of initial term (estimate only)	January 1, 2022
Contract end date, initial term (estimate only)	December 31, 2027
Contract start date, option term 1 (estimate only)	January 1, 2028
Contract end date, option term 1 (estimate only)	December 31, 2028
Contract start date, option term 2 (estimate only)	January 1, 2029
Contract end date, option term 2 (estimate only)	December 31, 2029
Contract start date, option term 3 (estimate only)	January 1, 2030
Contract end date, option term 3 (estimate only)	December 31, 2030
Contract start date, option term 4 (estimate only)	January 1, 2031
Contract end date, option term 4 (estimate only)	December 31, 2031
Contract start date, option term 5 (estimate only)	January 1, 2032
Contract end date, option term 5 (estimate only)	December 31, 2032

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#### **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: JCC Standard Terms and Conditions	If selected, the person or entity submitting a proposal (the “Proposer”) must sign this JCC Standard Form agreement
Attachment 3: Proposer’s Acceptance of Terms and Conditions	On this form, the Proposer must indicate acceptance of the Terms and Conditions or identify exceptions to the Terms and Conditions.
Attachment 4: General Certifications Form	The Proposer must complete the General Certifications Form and submit the completed form with its proposal.
Attachment 5: Small Business Declaration	The Proposer must complete this form only if it wishes to claim the small business preference associated with this solicitation.
Attachment 6: Payee Data Record Form	This form contains information the JCC requires 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.
Appendix A: Business and Functional/ Non- Functional Requirements	On this form, the Proposer must respond and submit the completed form with its proposal.
Appendix B: Training Requirements	On this form, the proposer must respond and submit the completed form with its proposal.
Appendix C: Configuration Requirements	On this form, the Proposer must respond and submit the completed form with its proposal.
Appendix D: Case Management Billing Solution Costing Matrix	On this form, the Proposer must respond to the cost portion of the RFP.

Appendix E: Testing Requirements	On this form, the Proposer must respond and submit the completed form with its proposal.
Appendix F: RFP Response Template	On this form, the Proposer must respond to the non-cost portion of the RFP.

## 5.0 PAYMENT INFORMATION

Once the contract is awarded, the work of the Initial term of the agreement is expected to be January 1, 2022 through December 31, 2026 for no more than the budget of \$1,450,000.00. Option terms 1, 2, 3, 4, and 5 exercised at the sole option of the JCC, will be a fixed amount each priced at no more than the budgeted amount of \$290,000.00.

## 6.0 PRE-PROPOSAL CONFERENCE

The JCC will hold a pre-proposal conference on the date identified in the timeline above. The pre-proposal conference will be held via conference call using Microsoft Teams or other Video / Audio screen share technology. Attendance at the pre-proposal conference is optional. Proposers are strongly encouraged to attend. To participate in the conference call proposers will need to include the RFP Number in the subject line of the email and send their contact information to the following email address: [Solicitations@jud.ca.gov](mailto:Solicitations@jud.ca.gov).

## 7.0 SUBMISSIONS OF PROPOSALS

- 7.1 Proposals should provide straightforward, concise information that satisfies the requirements of the “Proposal Contents” section below. An RFP Response Template (Appendix F) has been included for standardization of responses. All Appendices must be submitted with the proposal. Proposers should respond directly in each appendix document to submit a complete proposal. 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.
- 7.2 The Proposer must submit its proposal in two parts, the non-cost portion, and the cost portion.
  - a. The Proposer must submit the non-cost portion of the proposal (Attachments 2, 3, 4, 5, 6, 7, 8, 9 and Appendices A, B, C and E) in a single email ([solicitations@jud.ca.gov](mailto:solicitations@jud.ca.gov)), separate from the cost portion. The Proposer must write the RFP title and number on the heading or subject line of the email.

- b. The Proposer must submit the cost portion of the proposal (Appendix D) signed by an authorized representative of the Proposer. This will be emailed to RFP-CFCC-2021-107RB-COSTS@jud.ca.gov, separate from the non-cost portion. The Proposer must write the RFP title and number on the heading of the email.
- 7.3 All proposals must be delivered (sent and emailed) by the date and time listed on the coversheet of this RFP to the emails indicated above and addressed to:
- Judicial Council of California  
Branch Accounting and Procurement  
Attn: RFP-CFCC-2021-107B
- 7.4 Late proposals will not be accepted.
- 7.5 Only written proposals will be accepted. Proposals must include the RFP title and number on the heading or subject line of the email and sent to: solicitations@jud.ca.gov

## 8.0 PROPOSAL CONTENTS

- 8.1 Non-Cost Portion. The following information must be included in the non-cost portion of the proposal. A proposal lacking any of the following information may be deemed non-responsive.
- a. Acceptance of the Terms and Conditions.
    - i. On Attachment 3, the Proposer must check the appropriate box and sign the form. If the Proposer marks the second box, it must provide the required additional materials. An “exception” includes any addition, deletion, or other modification.
    - ii. If exceptions are identified, the Proposer must also submit (a) a red-lined version of the Terms and Conditions that implements all proposed changes, and (b) a written explanation or rationale for each exception and/or proposed change.
  - b. 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. The Proposer must complete the Small Business Declaration Form (Attachment 5) with its bid only if it wishes to claim the small business preference associated with this solicitation.
- v. The Proposer must complete the Payee Data Record Form (Attachment 6) and submit the completed information with its proposal.
- vi. The Proposer must complete the Iran Contracting Act Certification Form (Attachment 7) and submit the completed certification with its proposal.
- vii. 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.
- viii. The Proposer must complete the Darfur Contracting Act Certification (Attachment 9) and submit the completed certification with its proposal.
- ix. The Proposer must complete the Business and Functional / Non-Functional Requirements (Appendix A) and submit the completed form with its proposal.
- x. The Proposer must complete the Training Requirements (Appendix B) and submit the completed form with its proposal.
- xi. The Proposer must complete the Configuration Requirements (Appendix C) and submit the completed form with its proposal.
- xii. The Proposer must complete the RFP response template on Testing Requirements (Appendix E) and submit the completed document with its proposal.
- xiii. The Proposer must complete the RFP response template (Appendix F) and submit the completed document with its proposal.

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

IT Goods:

- i. The Proposer must complete the Case Management Billing Solution Costing Matrix (Appendix D) and submit the completed document with its non-cost portion of the proposal.
- ii. The cost per unit for the goods described in the non-cost information.
- iii. Application Software Licensing – Supply and all estimated software application costs.

IT Services:

- i. Professional Services – Supply all estimated Professional Services costs by implementation phase and activity in Appendix D, Estimated Professional Services by Implementation Phase and Activity, as well as all assumed JCC participation in Tab 3 (2-ProfServ), Section 2.
- ii. Maintenance and Support – Supply seven years of costs for Maintenance and Support.

**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 ninety (90) days following the proposal due date. In the event a final contract has not been awarded within this period, the JCC reserves the right to negotiate extensions to this period.

## 10.0 EVALUATION OF PROPOSALS

The cost portion of proposals will be opened at the date and time noted in Section 3.0 at: JCC. Please note that the building is requiring mandatory masking on-site for members of the public and employees for the immediate future and entry may not be guaranteed.



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.

CRITERION	MAXIMUM NUMBER OF POINTS
Meeting Business Requirements (Appendix A) and Deployment Services deliverables: <ul style="list-style-type: none"> <li>• Degree to which the Proposer’s proposed solution meets the functional requirements.</li> <li>• Capacity to manage and execute a successful implementation and smooth migration from any existing platforms.</li> </ul>	34
Deployment Services Proposal: Ability to manage and execute a successful implementation and smooth migration from any existing platforms.	8
Cost (Appendix D): Overall Cost, including any ongoing support and maintenance that may be required by the JCC or its agents.	50
Acceptance of the Terms and Conditions (Attachment 2)	8

If a contract will be awarded, the JCC will post an intent to award notice at the court’s website: <https://www.courts.ca.gov/rfps.htm>.

## 11.0 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 interview process may require a product demonstration. The interview may also require a demonstration of equivalence if a brand name is included in the specifications. The interviews will be conducted using Microsoft Teams or other Video / Audio screen share technology. The JCC will not reimburse Proposers for any costs incurred in for interviews. The JCC 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 JCC 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 JCC’s right to disclose information in the proposal, or (b) requiring the JCC 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.

### **13.0 DISABLED VETERAN BUSINESS ENTERPRISE INCENTIVE**

The JCC has waived the DVBE incentive in this solicitation.

### **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 JCC’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 JCC’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 JCC 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 MISREPRESENTATION IN CONNECTION WITH THE SMALL BUSINESS PREFERENCE 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](http://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 JCC to receive a solicitation specifications protest is November 29, 2021.

Protests must be sent to:

Judicial Council of California  
Branch Accounting and Procurement  
ATTN: Protest Hearing Officer  
RFP-CFCC-2021-107RB  
455 Golden Gate Avenue, 6<sup>th</sup> floor  
San Francisco, CA 94102