

REQUEST FOR PROPOSALS

JUDICIAL COUNCIL OF CALIFORNIA

REGARDING:

***California Court Interpreter Education &
American Sign Language Requirements***

RFP Number: CFCC-2021-91RB

PROPOSALS DUE:

APRIL 9, 2021 NO LATER THAN 3:00 p.m. PACIFIC TIME

1.0 BACKGROUND INFORMATION

- 1.1 The Judicial Council of California (“Judicial Council”) is the policymaking body of the California court system, which includes 58 superior courts, the courts of appeal, and the Supreme Court. Under the authority of the state’s Constitution and with the leadership of the Chief Justice of the California Supreme Court, the Judicial Council is responsible for ensuring the fair, impartial, and consistent administration of justice. The Judicial Council recommends improvements to the courts, adopts rules and procedures for court administration, and makes recommendations annually to the Governor and the Legislature. Judicial Council staff assist the Judicial Council with implementing policies and supporting court operations. The Judicial Council’s main office is in San Francisco, California.
- 1.2 Within the Judicial Council’s Center for Families, Children, and the Courts, the Language Access Services Program (LASP) works to develop policies and provide services to ensure equal access to justice for court users who are limited English proficient or deaf/hearing-impaired. LASP is comprised of the Court Interpreters Program (CIP) and the Language Access Implementation (LAI) unit. CIP works on court interpreter issues, and LAI works on making the courts more language accessible via resources such as signage, technology, and translated forms.
- 1.3 The Court Interpreters Advisory Panel (CIAP) is a standing advisory committee to the Judicial Council. It is charged with making recommendations to the council on the certification, registration, renewal of certification and registration, testing, recruitment, training, continuing education, and professional conduct of interpreters. It also makes recommendations concerning interpreter use and the need for interpreters in court proceedings. CIP provides staff support to CIAP and assists its members with developing policy recommendations. CIP also oversees the credentialing process and development of education resources for almost 2,000 California certified and registered court interpreters.

In addition, CIP and CIAP are responsible for recruitment efforts and administration of interpreter credentialing exams. Under Gov. Code § 68563, the Judicial Council conducts a study of language need and interpreter use in the California superior courts every five years and reports these findings to the Governor and the Legislature (see [2020 Language Need and Interpreter Use Study](#)). This study is used to inform the policy recommendations of CIAP and the development of services and resources by CIP.

- 1.4 In 2015, the Registry of Interpreters for the Deaf, Inc. eliminated testing for the Specialist Certificate: Legal (SC:L) credential for American Sign Language (ASL) interpreters. The SC:L credential has been the credential status accepted by the California judiciary as certification that ASL interpreters have achieved appropriate training to work in the courts. The consultant under this contract will identify recommended and current American Sign Language (ASL) interpreter certifications

that could potentially be accepted by the Judicial Council and develop an online course (6-8 hours of content) that will be required before the ASL interpreter may work for the California court system.

2.0 DESCRIPTION OF SERVICES AND DELIVERABLES

2.1 The Judicial Council seeks the services of a Contractor with experience to assist the Court Interpreters Program (CIP) with researching potential learning management systems (LMS's), developing online modules for court interpreter education in four topic areas, identifying recommended American Sign Language (ASL) interpreter certifications that could be accepted by the Judicial Council, and developing an online course (6-8 hours of content) that will be required before the ASL interpreter may work for the California court system. The six projects (outlined below) are to be completed over a two-year period from May 2021 to February 2023:

- 1) With criteria provided by Court Interpreters Program (CIP) staff and possible guidance from Judicial Council Information Technology staff, identify potential learning management systems (applications used to develop, deliver, and track education courses) to host court interpreter education courses and materials.
- 2) Update content for existing orientation modules (2-3 hours of content) for newly credentialed court interpreters, including content that provides an overview of the California courts and prepares interpreters for the court environment, and convert to a format that can be hosted on the Judicial Council network and in a LMS;
- 3) Develop online Video Remote Interpreting (VRI) training modules (2-3 hours of content) tailored to court interpreters regarding common video conferencing platforms; how to use the technology for different modes of interpretation (simultaneous, consecutive, and sight translation); common challenges and solutions; best practices; and ethical considerations; the training modules must be in a format that can be hosted on the Judicial Council network and in a LMS;
- 4) Develop online Bilingual Interpreting Examination (BIE) training modules (2-3 hours of content) in English only to better prepare examination candidates for the BIE. There are four required components of the BIE (simultaneous interpreting, consecutive interpreting, sight translation from English to the non-English language, and sight translation from the non-English language to English). California requires that applicants pass all four components of the BIE in one sitting, with a passing score of 70 percent or more for each of the four sections. The BIE is used to test the interpreting skills of candidates who seek to become credentialed in a language that is designated as certified by the Judicial Council. Additional information about the Judicial Council's interpreting testing program and the BIE may be found at: <https://www.courts.ca.gov/2695.htm>.

- 5) Develop an online ethics training modules (2-3 hours of content) to be completed as an ethics review for all credentialed court interpreters, which covers complex ethics scenarios, conduct inside and outside the courtroom, [California Rules of Court, Rule 2.890 Professional Conduct for Interpreters](#), the [Professional Standards and Ethics for California Court Interpreters](#), and the [California Court Interpreter Credential Review Procedures](#); training modules must be in a format that can be hosted on the Judicial Council network and in a LMS; and
- 6) In consultation with the Court Interpreters Advisory Panel (CIAP), identify recommended American Sign Language (ASL) interpreter certifications that could be accepted by the Judicial Council and develop an online course (6-8 hours of content) that will be required before the ASL interpreter may work for the California court system. The course will cover legal terminology, ethics, court-related issues, the role of the ASL court interpreter in court proceedings, and other subjects recommended by the Contractor.

The proposed contract is estimated to be effective from **May 17, 2021, through February 28, 2023.**

The estimated funds available for this project will not exceed **\$500,000.00**, as follows:

- **ASL interpreter requirements:** not to exceed **\$200,000.00** for deliverables #1, #3, #6, #9, #13, #17, #21 (includes final report); and
- **Court interpreter education:** not to exceed **\$300,000.00** for deliverables #1-2, 4-5, 7-8, 10-12, 14-16, 18-21 (includes final report).

2.2 The Proposed Bidder must have expertise in the following areas:

- 1) Credentialing of and certifications for American Sign Language (ASL) court interpreters, including the Registry of Interpreters for the Deaf (RID) certifications, best practices nationwide, and options appropriate for California.
- 2) Interpreting in the California superior courts, including the knowledge, skills, and abilities (KSAs) essential for both spoken language and ASL court interpreting; court interpreter ethics; and continuing education requirements.
- 3) The California court system, court proceedings and legal terminology, and the role of the court interpreter.
- 4) Court interpreter education, including state-of-the-art training methods and necessary areas of continued skills development and enrichment for court interpreters.

- 5) Development of training modules and the technical requirements for hosting the content on the Judicial Council network and learning management systems (LMS's), as well as familiarity with LMS trends.
- 6) Research and writing for judicial branch audiences.
- 7) Video remote interpreting (VRI) on common video conferencing platforms used by the California courts and best practices and ethical considerations for court interpreters.
- 8) The Bilingual Interpreting Examination (BIE), including the exam grading rubric; common performance deficiencies; the exam environment; and practice materials, self-study techniques, and resources for examination candidates; and
- 9) Ethics requirements for California court interpreters as outlined in [California Rules of Court, Rule 2.890 Professional Conduct for Interpreters and the Professional Standards and Ethics for California Court Interpreters](#), as well as familiarity with the [California Court Interpreter Credential Review Procedures](#).

2.3 Project Deliverables

Deliverables for Court Interpreter Education & ASL Interpreter Requirements	Estimated Completion Date	Estimated Maximum Firm Fixed Amount (\$)
<p>Deliverable No. 1 – All Deliverables:</p> <p>After initial project needs and objectives are identified in consultation with Judicial Council Court Interpreters Program (CIP) staff, the Contractor will submit a draft strategy document and timeline regarding completion of all project deliverables covered by the proposed contract.</p>	June 17, 2021	TBD

Deliverables for Court Interpreter Education & ASL Interpreter Requirements	Estimated Completion Date	Estimated Maximum Firm Fixed Amount (\$)
<p>Deliverable No. 2 – Court Interpreter Education:</p> <p>Contractor will meet via video conference with CIP staff to discuss the draft strategy document and timeline for updating existing content for the new interpreter orientation modules (2-3 hours of content), including the modules’ content and converting to a format that can be hosted on the Judicial Council network and in a learning management system (LMS). Contractor will incorporate CIP staff input and prepare a revised strategy document and timeline regarding updates to the orientation modules.</p>	<p>July 30, 2021</p>	<p>TBD</p>
<p>Deliverable No. 3 – ASL Interpreter Requirements:</p> <p>Contractor will meet via video conference with CIP staff to discuss the draft strategy document and timeline for the identification of recommended ASL certifications that could be accepted by the council and the development of an online course (6-8 hours of content) that will be required before the ASL interpreter may work for the California court system. The course will cover legal terminology, ethics, court-related issues, the role of the ASL court interpreter in court proceedings, and other subjects recommended by the Contractor. Contractor will work with ASL testing experts and other ASL subject matter experts to develop the proposed requirements and curriculum.</p>	<p>July 30, 2021</p>	<p>TBD</p>
<p>Deliverable No. 4 – Court Interpreter Education:</p> <p>Contractor will meet via conference call with CIP staff and Judicial Council Information Technology staff to discuss the draft strategy document and timeline for assisting with research to identify potential LMS’s for court interpreter education. Contractor will incorporate the input received and prepare a revised strategy document and timeline regarding the LMS research.</p>	<p>August 31, 2021</p>	<p>TBD</p>

Deliverables for Court Interpreter Education & ASL Interpreter Requirements	Estimated Completion Date	Estimated Maximum Firm Fixed Amount (\$)
<p>Deliverable No. 5 – Court Interpreter Education:</p> <p>Contractor will provide CIP staff with a draft version of the updated orientation modules (2-3 hours of content) for newly credentialed court interpreters, which will include updates to the modules’ content and converting to a format that can be hosted on the Judicial Council network and/or in a LMS.</p>	<p>September 30, 2021</p>	<p>TBD</p>
<p>Deliverable No. 6 – ASL Interpreter Requirements:</p> <p>After in-depth consultation with CIP staff, Contractor will present to CIP staff and the Court Interpreters Advisory Panel (CIAP) on recommended ASL certifications that could be accepted by the council and the development of an online course (6-8 hours of content) that will be required before the ASL interpreter may work for the California court system.</p>	<p>September 30, 2021</p>	<p>TBD</p>
<p>Deliverable No. 7 – Court Interpreter Education:</p> <p>Contractor will prepare a report with findings from the research to identify potential LMS’s for court interpreter education and present to CIP staff and/or Judicial Council leadership. Contractor will meet with CIP staff and Judicial Council Information Technology staff regarding implementation options and variables.</p>	<p>October 29, 2021</p>	<p>TBD</p>
<p>Deliverable No. 8 – Court Interpreter Education:</p> <p>Contractor will incorporate CIP staff input and finalize for delivery to the Judicial Council the updated orientation modules (2-3 hours of content) for newly credentialed court interpreters.</p>	<p>November 30, 2021</p>	<p>TBD</p>

Deliverables for Court Interpreter Education & ASL Interpreter Requirements	Estimated Completion Date	Estimated Maximum Firm Fixed Amount (\$)
<p>Deliverable No. 9 – ASL Interpreter Requirements:</p> <p>Contractor will incorporate the input received from CIAP and CIP staff and submit to the Judicial Council updated versions of its recommended ASL interpreter certifications that could be accepted by the council and the proposed curriculum for the online course (6-8 hours of content) that will be required before the ASL interpreter may work for the California court system. The Contractor will also meet by videoconference with CIP staff to review these work products.</p>	<p>December 31, 2021</p>	<p>TBD</p>
<p>Deliverable No. 10 – Court Interpreter Education:</p> <p>Contractor will meet via video conference with CIP staff to discuss the draft strategy document and timeline for development of online video remote interpreting (VRI) training modules (2-3 hours of content) for court interpreters, including how to use platforms for different types of interpretation (simultaneous, consecutive, and sight translation); common logistical issues and solutions; and VRI best practices and ethical considerations. Contractor will incorporate CIP staff input and prepare a revised strategy document and timeline regarding development of the VRI training modules.</p>	<p>January 31, 2022</p>	<p>TBD</p>
<p>Deliverable No. 11 – Court Interpreter Education:</p> <p>Contractor will meet via video conference with CIP staff to discuss the draft strategy document and timeline for development of online Bilingual Interpreting Examination (BIE) training modules (2-3 hours of content) in English only for examination candidates. These modules will cover the different sections of the exam (simultaneous, consecutive, and sight translation), provide strategies for success, and address common performance deficiencies. Contractor will incorporate CIP staff input and prepare a revised strategy document and timeline regarding development of the BIE training modules.</p>	<p>February 28, 2022</p>	<p>TBD</p>

Deliverables for Court Interpreter Education & ASL Interpreter Requirements	Estimated Completion Date	Estimated Maximum Firm Fixed Amount (\$)
<p>Deliverable No. 12 – Court Interpreter Education:</p> <p>Contractor will meet via video conference with CIP staff to discuss the draft strategy document and timeline for development of ethics review training modules (2-3 hours of content) for credentialed court interpreters. These modules will be an ethics review for all certified and registered court interpreters, most of whom have not taken a Judicial Council training on ethics for numerous years. These modules will incorporate the ethics requirements for California court interpreters as outlined in the California Rules of Court, Rule 2.890 Professional Conduct for Interpreters and the Professional Standards and Ethics for California Court Interpreters. These modules will cover frequently asked questions and complex ethics scenarios in the courtroom and outside the courtroom (e.g., social media, family law mediation, etc.). In addition, the modules will provide information about the California Court Interpreter Credential Review Procedures. Contractor will incorporate CIP staff input and prepare a revised strategy document and timeline regarding development of the ethics training modules.</p>	<p>March 31, 2022</p>	<p>TBD</p>
<p>Deliverable No. 13 – ASL Interpreter Requirements:</p> <p>Contractor will provide CIP staff and CIAP with a draft version of the online course (6-8 hours of content) that will be required before a certified ASL interpreter may work for the California court system.</p>	<p>March 31, 2022</p>	<p>TBD</p>
<p>Deliverable No. 14 – Court Interpreter Education:</p> <p>Contractor will provide CIP staff with a draft version of the VRI training modules (2-3 hours of content) tailored to court interpreters.</p>	<p>April 29, 2022</p>	<p>TBD</p>

Deliverables for Court Interpreter Education & ASL Interpreter Requirements	Estimated Completion Date	Estimated Maximum Firm Fixed Amount (\$)
<p>Deliverable No. 15 – Court Interpreter Education:</p> <p>Contractor will provide CIP staff with a draft version of the online BIE training modules (2-3 hours of content) for examination candidates.</p>	May 31, 2022	TBD
<p>Deliverable No. 16 – Court Interpreter Education:</p> <p>Contractor will provide CIP staff with a draft version of the ethics training modules (2-3 hours of content), which will be an ethics review for all California certified and registered court interpreters.</p>	June 30, 2022	TBD
<p>Deliverable No. 17 – ASL Interpreter Requirements:</p> <p>Contractor will incorporate CIP staff and CIAP input to finalize for delivery to CIP staff the online course (6-8 hours of content) that will be required before a certified ASL interpreter may work for the California court system.</p>	July 29, 2022	TBD
<p>Deliverable No. 18 – Court Interpreter Education:</p> <p>Contractor will incorporate CIP staff input and finalize for delivery to CIP staff the VRI training modules (2-3 hours of content) for court interpreters on VRI best practices and ethical considerations.</p>	August 31, 2022	TBD
<p>Deliverable No. 19 – Court Interpreter Education:</p> <p>Contractor will incorporate CIP staff input and finalize for delivery to CIP staff the online BIE training modules (2-3 hours of content).</p>	September 30, 2022	TBD
<p>Deliverable No. 20 – Court Interpreter Education:</p> <p>Contractor will incorporate CIP staff input and finalize for delivery to CIP staff the ethics training modules (2-3 hours of content), which will be an advanced ethics review for all credentialed court interpreters.</p>	October 31, 2022	TBD

Deliverables for Court Interpreter Education & ASL Interpreter Requirements	Estimated Completion Date	Estimated Maximum Firm Fixed Amount (\$)
Deliverable No. 21 – All Deliverables: Contractor will provide CIP staff with a final report and conduct a meeting via video conference to discuss all completed deliverables and any outstanding deliverables covered by the proposed contract.	February 28, 2023	TBD

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 10, 2021
Deadline for questions to solicitations@jud.ca.gov	March 17, 2021 by 3:00pm PT
Questions and answers posted (<i>estimate only</i>)	March 24, 2021
Latest date and time proposal may be submitted to solicitations@jud.ca.gov	April 9, 2021 by 3:00pm PT
Anticipated interview dates (<i>estimate only</i>)	April 19 – 23, 2021
Evaluation of proposals (<i>estimate only</i>)	April 26 – 30, 2021
Notice of Intent to Award (<i>estimate only</i>)	May 3, 2021
Negotiations and execution of contract (<i>estimate only</i>)	May 3 – May 14, 2021
Contract start date (<i>estimate only</i>)	May 17, 2021
Contract end date (<i>estimate only</i>)	February 28, 2023

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: Judicial Council Standard Terms and Conditions	If selected, the person or entity submitting a proposal (the “Proposer”) must sign this Judicial Council Standard Form agreement.
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 Judicial Council requires in order to process payments and must be submitted with the proposal.
Attachment 7: Unruh and FEHA Certification	The Proposer must complete the Unruh Civil Rights Act and California Fair Employment and Housing Act Certification.
Attachment 8: Bidder Declaration	Complete this form only if the Proposer is participating in the Disabled Veteran Business Enterprise (DVBE) incentive associated with this solicitation.
Attachment 9: DVBE Declaration	Complete this form only if the Proposer is participating in the DVBE incentive associated with this solicitation.

5.0 PAYMENT INFORMATION

5.1 The following payment related issues are applicable:

- 1) Basis for Payments: The resulting contract will be comprised of firm fixed pricing for the Description of Services and Deliverables described in section 2.0 of this RFP.
- 2) No other expenses (including travel expenses) will be reimbursed by the Judicial Council.
- 3) The payment term is net 60 from date of acceptance of the deliverable and receipt of invoice.

- 4) See Attachment 2: Judicial Council Standard Terms and Conditions, Appendix B: Pricing and Payment; and
- 5) A payment retention of 10% may be applied to all deliverables.

6.0 SUBMISSIONS OF PROPOSALS

- 6.1 Proposals should provide straightforward, concise information that satisfies the requirements of the “Proposal Contents” section below. Expensive bindings, color displays, and the like are not necessary or desired. Emphasis should be placed on conformity to the RFP’s instructions and requirements, and completeness and clarity of content.
- 6.2 The Proposer must submit its proposal in two parts with associated attachments, the Technical Proposal and the Cost Proposal.
 - 1) **Technical Proposal** - The Proposer must submit via mail 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.
 - 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 2.0. 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 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. For each key staff member: a resume describing the individual's background and experience, as well as the individual's ability and experience in conducting the proposed activities.
- d. Names, addresses, and telephone numbers of a minimum of three (3) clients for whom the Proposer has conducted similar services. The Judicial Council may check references listed by the Proposer.
- e. A link to at least two (2) examples of online education modules developed by Proposer.
- f. Proposed method to complete the work.
 - i. Describe the proposed method to complete the work, including a detailed work plan with deliverables and milestones.
 - ii. Describe the plan to ensure continued client satisfaction throughout the contract term, including items such as guarantees, client surveys, escalation procedures, and periodic meetings to update Judicial Council staff on the status and progress of deliverables.
- 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. Copies of the Proposer’s (and any subcontractors’) current business licenses, professional certifications, or other credentials.
- v. Proof of financial solvency or stability (e.g., balance sheets and income statements).
- vi. The Proposer must complete the Unruh Civil Rights Act and California Fair Employment and Housing Act Certification (Attachment 7) and submit the completed certification with its bid.
- vii. The Proposer must complete the Bidder Declaration form (Attachment 8) only if the Proposer wishes to claim the Disabled Veteran Business Enterprise (DVBE) incentive associated with this solicitation.
- viii. Each DVBE that will provide goods and/or services in connection with the contract must complete the DVBE Declaration form (Attachment 9). If the Proposer is a DVBE, the Proposer must also complete and sign the DVBE Declaration.

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

- i. A detailed line item budget showing total cost of the proposed services.
- ii. A full explanation of all budget line items in a narrative titled “Budget Justification.”

- iv. A “not to exceed” total for all work and expenses payable under the contract, if awarded.

8.0 OFFER PERIOD

A Proposer’s proposal is an irrevocable offer for ninety (90) days following the proposal due date. In the event a final contract has not been awarded within this period, the Judicial Council reserves the right to negotiate extensions to this period.

9.0 EVALUATION OF PROPOSALS

At the time proposals are opened, each proposal will be checked for the presence or absence of the required proposal contents.

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

If a contract will be awarded, the Judicial Council will post an intent to award notice at <https://www.courts.ca.gov/rfps.htm>.

CRITERION	MAXIMUM NUMBER OF POINTS
Quality of work plan submitted	25
Experience on similar assignments and credentials of staff to be assigned to the project	20
Cost	30
Acceptance of the Terms and Conditions	5
Ability to meet timing requirements to complete the project	17
DVBE Incentive	3

10.0 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 interviews may be conducted by phone or by a video conferencing platform. Due to the COVID-19 pandemic, in-person interviews will not take place. The Judicial Council 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 Judicial Council will not disclose (i) social security numbers, or (ii) balance sheets or income statements submitted by a Proposer that is not a publicly traded corporation. All other information in proposals will be disclosed in response to applicable public records requests. Such disclosure will be made regardless of whether the proposal (or portions thereof) is marked “confidential,” “proprietary,” or otherwise, and regardless of any statement in the proposal (a) purporting to limit the Judicial Council’s right to disclose information in the proposal, or (b) requiring the Judicial Council to inform or obtain the consent of the Proposer prior to the disclosure of the proposal (or portions thereof). Any proposal that is password protected, or contains portions that are password protected, may be rejected. Proposers are accordingly cautioned not to include confidential, proprietary, or privileged information in proposals.

12.0 DISABLED VETERAN BUSINESS ENTERPRISE (DVBE) 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 8). 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 9) 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.

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 March 17, 2021. Protests must be sent to:

Judicial Council of California
Branch Accounting and Procurement
ATTN: Protest Hearing Officer
455 Golden Gate Avenue
San Francisco, CA 94102-3688

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