

# REQUEST FOR PROPOSALS

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*JUDICIAL COUNCIL OF CALIFORNIA*

**REGARDING:**

*FULLY MANAGED AND HOSTED ENTERPRISE SERVICES  
UTILIZING MOODLE*

**PROPOSALS DUE:**

*March 10, 2023, NO LATER THAN 3:00 P.M. PACIFIC TIME*

## 1.0 BACKGROUND INFORMATION

- 1.1 The JBE of California, hereinafter referred to as “JCC,” JBE” or “the Council”, chaired by the Chief Justice of California, is the primary policy making agency of the California judicial system. The California Constitution directs the JBE to improve the administration of justice by surveying judicial business, recommending improvements to the courts, and making recommendations annually to the Governor and the Legislature. The JBE also adopts rules for court administration, practice, and procedure, and performs other functions prescribed by law. The JBE’s Court Operations and Services Division, Center for Families, Children & the Courts (“CFCC”) supports programs in court settings that improve practice and services for children, youth, parents, families, and other court users.
- 1.2 Project. This request seeks a proposal from fully managed and hosted enterprise service providers that utilize the Modular Object-Oriented Dynamic Learning Environment (Moodle) learning management system.

## 2.0 DESCRIPTION OF GOODS AND/OR SERVICES

- 2.1 The JBE seeks the services of a person or an entity with expertise in hosting and managing a Moodle learning management system. This RFP is the means for prospective service providers to submit their qualifications to the JBE and request selection as a service provider.

The contractor will be expected to meet with JBE staff to provide managerial oversight of and support for the Moodle learning management system and platform. The current platform hosts three (3) CFCC programs with 14 content areas, and has done so over the past 10 years, serving more than 750 court professionals across the state. During the pandemic, the California Courts Moodle site became the primary place for remote initial annual learning for court professionals mandated by the California Rules of Court.

The JBE intends to award one (1) Agreement with a **term of three (3) years approximately from April 2, 2023, through April 1, 2026; with the possibility of two (2) one-year extensions.**

- 2.2 Services. The JBE seeks the services of a person or entity with expertise in managing and hosting a Moodle learning management system with the following specifications:

- Provide minimum of 100 GB of data storage.
- Provide unlimited Administrator Help Desk support.
- Provide and perform security updates, patches, and bug fixes, including backend support.
- Provide and perform routine maintenance, including firewall to filter out and delete spam accounts.
- Provide one-non-production sandbox support.

- Provide unlimited site administration support to site design elements and features.
- Provide user registration form design, including the customization of registration forms with specific categories that are only applicable to government users.
- Provide for a minimum of 1500 users.
- Provide enterprise cloud hosting.
- Ability to migrate existing data from an existing Moodle provider.
- Provide access to an Administrator Account and one back-up Administrator Account.
- Provide optional training and support during implementation.
- Host unlimited courses, materials, resources, and recordings.
- Ability to host web recordings, custom certificates, post-tests, and links to collaborating websites.
- Track duration of user time on individual courses and ability to generate user statistical reports, e.g., to determine most frequently viewed recordings within a given course.
- In the proposal, list other optional services and features available.

### 3.0 TIMELINE FOR THIS RFP

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

EVENT	DATE
RFP issued	Feb 24, 2023
Deadline for written questions to solicitations@jud.ca.gov	Mar 2, 2023
Questions and answers posted (estimate only) www.courts.ca.gov/rfps.htm	March 3, 2023
Latest date and time proposal may be submitted	Mar 10, 2023 3:00 P.M.
Evaluation of proposals (estimate only)	March 13 to 17, 2023
Notice of Intent to Award (estimate only)	March 20, 2023
Negotiations and execution of contract (estimate only)	March 21 to April 1, 2023
Contract start date (estimate only)	April 2, 2023
Contract end date (estimate only)	April 1, 2026

#### 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: JBE Standard Terms and Conditions	If selected, the person or entity submitting a proposal (the “Proposer”) must sign a 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: Small Business Declaration	The Proposer must complete this form only if it wishes to claim the small business preference associated with this solicitation.
Attachment 6A: Payee Data Record Form (STD) 204	This form contains information the JBE requires in order to process payments and must be submitted with the proposal.
Attachment 6B: Payee Data Record Form 205 (optional)	This form contains information the BJE requires if the remittance address information differs from the mailing address on the STD 204 and when additional Authorized Representatives of the Payee not identified in the STD 204.
Attachment 7: Darfur Contracting Act Certification	The Proposer must complete the Darfur Contracting Act Certification and submit the completed certification with its proposal.

#### 5.0 PAYMENT INFORMATION

- 5.1 Costs associated with services are to be billed at firm-fixed price annually.
- 5.2 Costs are to remain at contracted annual rate should the JBE choose to exercise two one (1) year optional term extension.

## 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, the non-cost portion and the cost portion.
  - a. The Proposer must submit an electronic copy of the Technical Proposal. The proposal must be signed by an authorized representative of the Proposer. The Technical Proposal must be submitted via email to [solicitations@jud.ca.gov](mailto:solicitations@jud.ca.gov). The Proposer must write the RFP title and number in the subject line of the email.
  - b. The Proposer must submit an electronic copy of the Cost Proposal. The proposal must be signed by an authorized representative of the Proposer. The Cost Proposal can be submitted in the same email to [solicitations@jud.ca.gov](mailto:solicitations@jud.ca.gov) as the Technical Proposal but should be a separate attachment marked “COST PROPOSAL,” from the technical proposal. The Proposer must write the RFP title and number in the subject line of the email.
- 6.3 Proposals must be delivered by the date and time listed on the coversheet of this RFP. For the purposes of this RFP, proposals shall be transmitted only by email to [solicitations@jud.ca.gov](mailto:solicitations@jud.ca.gov).
- 6.4 Late proposals will not be accepted.
- 6.5 For the purposes of this RFP, proposals shall be transmitted only by email to [solicitations@jud.ca.gov](mailto:solicitations@jud.ca.gov).

## 7.0 PROPOSAL CONTENTS

- 7.1 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. 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. Names, addresses, and telephone numbers of a minimum of three (3) clients for whom the Proposer has conducted similar services. The JBE may check references listed by the Proposer.
- d. Proposed method to complete the work in Section 2.2 above.
- e. 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.
  - iii. Note: A material exception to a Minimum Term will render a proposal non-responsive. The JBE, in its sole discretion, will determine what constitutes a material exception.
  - iv. Any changes or exceptions to the Terms and Conditions submitted or received after the due date and time listed on the coversheet of this RFP will not be considered.
- f. 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 7) and submit the completed certification with its proposal.
  - iii. The Proposer must complete the Payee Data Record Standard Form (STD) 204 (Attachment 6A) and submit the completed copy with its proposal. The Payee Data Record form 205 (Attachment 6B) is optional unless the remittance address information is different than the mailing address on the STD 204 and is used to provide additional remittance addresses and additional Authorized Representatives of the Payee not identified in the STD 204.

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

7.2 Cost Portion. The information provided in section 5 above must be included in the cost portion of the proposal.

IT Services:

- 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 entitled “Budget Justification.”

**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 cost portion of proposals will be publicly opened at the date and time noted in Section 3.0 at [www.courts.ca.gov/rfps.htm](http://www.courts.ca.gov/rfps.htm).

The JBE 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 [www.courts.ca.gov](http://www.courts.ca.gov).

<b>CRITERION</b>	<b>MAXIMUM NUMBER OF POINTS</b>
<i>Quality of work plan submitted</i>	10
<i>Experience on similar assignments</i>	15
<i>Cost</i>	50
<i>Credentials of staff to be assigned to the project</i>	5
<i>Acceptance of the Terms and Conditions</i>	15
<i>Ability to meet timing requirements to complete the project</i>	5

**10.0 CONFIDENTIAL OR PROPRIETARY INFORMATION**

**PROPOSALS ARE SUBJECT TO DISCLOSURE TO THIRD PARTIES AND MEMBERS OF THE PUBLIC PURSUANT TO APPLICABLE LAWS, INCLUDING PUBLIC DISCLOSURE PURSUANT TO RULE 10.500 OF THE CALIFORNIA RULES OF COURT.** Except as required by law, 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, or as otherwise required by law. Such disclosure will be made regardless of whether the proposal (or portions thereof) is marked “confidential,” “proprietary,” “copyright ©,” 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. Submission of any proposal pursuant to this RFP constitutes acknowledgment and consent by the Proposer to the potential public disclosure of its proposal content, as set forth in this Section 12. Proposers are accordingly cautioned not to include confidential, proprietary, or privileged information in proposals.

**11.0 DISABLED VETERAN BUSINESS ENTERPRISE INCENTIVE**

The JBE has waived the DVBE incentive in this solicitation.



## 12.0 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 JBE'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 JBE'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.

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 JBE 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.**

## 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](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 JBE to receive a solicitation specifications protest is the proposal due date. Protests must be sent to:

[Solicitations@jud.ca.gov](mailto:Solicitations@jud.ca.gov)

OR

RFP Title: Enterprise Services Utilizing Moodle  
RFP Number: RFP-CFCC-22-117RB

JBE of California  
Branch Accounting and Procurement  
ATTN: Protest Hearing Officer: RFP-CFCC-22-117RB  
455 Golden Gate Avenue  
San Francisco, CA 94102

(Indicate Solicitation Number and Name of Your Business in email subject line or lower left corner of envelope.)