



# REQUEST FOR PROPOSALS

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**ADMINISTRATIVE OFFICE OF THE COURTS**

**REGARDING:**

E-LEARNING COURSE VENDOR FOR AOC  
EMPLOYEE EDUCATION

**RFP # CJER 08-14-MQ**

**PROPOSALS DUE:**

**October 23, 2013 NO LATER THAN 1:00 P.M. PACIFIC TIME**

## **1.0 BACKGROUND INFORMATION**

1.1 Judicial Council of California – AOC. The Judicial Council of California, chaired by the Chief Justice of California, is the chief policy making agency of the California judicial system. The California Constitution directs the Council 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 Council also adopts rules for court administration, practice, and procedure, and performs other functions prescribed by law. The Administrative Office of the Courts (AOC) is the staff agency for the Judicial Council and assists both the Council and its chair in performing their duties.

### **1.2 AOC Employee Education Online Training Needs**

- 1.2.1 The AOC uses online courses to meet a portion of the training needs of approximately 750 employees.
- 1.2.2 The online courses used by AOC employees incorporate many soft skill and compliance topics such as: Back Injury Prevention; Environment, Health, and Safety at Work; Ergonomics; Fall Protection; Hearing Protection; Eye & Face Protection; Foot Protection; Hand & Arm Protection; Head Protection; Respiratory Protection; Slip, Trip, and Fall Prevention; Fostering Drug Free Environment for Supervisors; Fostering Drug-Free Environment for Staff; Preventing Workplace Violence; Sexual Harassment Prevention for non-supervisory employees; Supervising a Respectful Workplace; and Defensive Driving.

## **2.0 DESCRIPTION OF SERVICE AND DELIVERABLES**

### **2.1 PROJECT SCOPE**

- 2.1.1 The AOC seeks a Commercial-Off-The-Shelf E-Learning (web-based learning, computer-based learning and, virtual education opportunities) system for use by approximately 750 employees. The system must allow desktop access for each user in a web-based mode. The AOC uses online learning to deliver compliance, safety, and professional and personal development content to its employees.

### **2.2 REQUIREMENTS**

#### **2.2.1 EMPLOYEE ACCESS REQUIREMENTS**

- 2.2.1.1 Employees must be able to access the E-Learning system via a desktop or personal computer.
- 2.2.1.2 The majority of AOC employees are required to complete between 3 and 5 online courses during each 2-year training cycle. Past history has shown an uneven distribution in the number of uses/launches used between the first and second year of a 2-year training cycle and it is generally not possible to accurately predict the specific number of uses/launches that will be used the first year versus the second year. Therefore, the total number of uses/launches available during a 2-year contract must be available in either year, without penalty.

**2.2.1.3** AOC employees may require more than one log-in to complete a single online class. Any E-Learning system utilized by the AOC must allow employees to log in multiple times to complete a single online course without extra charge or penalty for multiple log-ins.

## **2.2.2 COURSE REQUIREMENTS**

**2.2.2.1** Specific course offerings must include courses on the following topics:

- Back Injury Prevention
- Environment Health, and Safety at Work
- Ergonomics
- Fall Protection
- Hearing Protection
- Eye & Face Protection
- Foot Protection
- Hand & Arm Protection
- Head Protection
- Respiratory Protection
- Slip, Trip, and Fall Prevention
- Drug-Free Environment for Supervisors
- Drug-Free Environment for Staff
- Preventing Workplace Violence
- Sexual Harassment Prevention for Non-Supervisory Employees
- Supervising a Respectful Workplace/Disability in the Workplace
- Defensive Driving

**2.2.2.2** Additional comprehensive coverage of content for compliance, professional, and personal development in areas such as:

- Safety
- Regulatory
- Business and Professional Development
- Communication
- Customer Service Curriculum
- Personal Development Curriculum

## **2.3 ADDITIONAL REQUIREMENTS**

**2.3.1** System must be capable to track total amount of individual employee time spent on each unit, completion progress, and performance for each user.

**2.3.2** Report generation for use, time, completion, and accuracy by user and unit.

**2.3.3** Online user tests for each unit covered—self scoring and recording.

**2.3.4** Personalized reports for each user.

- 2.3.5 Security: Systems that are hosted will need to provide, in the contract, a protocol of guarantee of reasonable Security, Back-up standards and schedules, downtime schedules, and regular product updates.
- 2.3.6 Bidders will provide AOC a complete list of ALL courses, modules and trainings available on their system.
- 2.3.7 Updated content on a regular basis to stay current with regulatory changes.
- 2.3.8 Allowance for insertion of AOC specific information or regulations/policies.
- 2.3.9 System must be web-based.
- 2.3.10 Ability to attach relevant policies and procedure to all appropriate classes.

**2.4 AOC DUTIES AND RESPONSIBILITIES**

- 2.4.1 Inform the vendor of content that AOC would like to add.
- 2.4.2 Evaluate the content of the education provided in the demonstration.
- 2.4.3 Report issues and questions promptly thus allowing the vendor to remedy any problems.
- 2.4.4 Cooperate and provide information about infrastructure to integrate the system into AOCs existing IT enterprise software.
- 2.4.5 Provide access to documents or staff when necessary.

**2.5 DATA EXPORTING REQUIREMENTS**

Bidder’s product must be capable of exporting data, via automated process, reporting tools, or via data file. Should the data file be the selected option the exported data must be mapped to target fields in our Learning Management System (LMS). These fields are labeled on the following sample spreadsheet; the session number is generated in the AOC’s LMS and is manually entered into the data field.

	A	B	C	D	E	F	G
1	First	Last	Student ID	Course Code	Session	Course Description	Date Updated
2	Ericka	Hann	003563	LEA120	0001	The Power To Change	3/1/2012

**2.6 CONTRACT PERIOD**

The contract shall be for one 24 month period beginning on 1/1/2014 and ending on 12/31/2016.

**3.0 TIMELINE FOR THIS RFP**

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

EVENT	DATE
RFP issued	September 4, 2013
Deadline for questions	September 18, 2013, 1:00 pm
Questions and answers posted	October 9, 2013
Latest date and time proposal may be submitted	October 23, 2013, 1:00 pm
Notice of Intent to Award ( <i>estimate only</i> )	November 8, 2013
Negotiations and execution of contract ( <i>estimate only</i> )	November 22, 2013
Contract start date ( <i>estimate only</i> )	January 1, 2014
Contract end date ( <i>estimate only</i> )	December 31, 2016

#### 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: AOC Standard Terms and Conditions	If selected, the person or entity submitting a proposal (the “Proposer”) must sign a AOC 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: Darfur Contracting Act Certification	Proposer must complete the Darfur Contracting Act Certification and submit the completed certification with its proposal.
Attachment 5: Payee Data Record Form	This form contains information the AOC requires in order to process payments and must be submitted with the proposal.

## 5.0 SUBMISSIONS OF PROPOSALS

- 5.1 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.
- 5.2 The Proposer must submit its proposal in two parts, the technical proposal and the cost proposal.
- a. The Proposer must submit **one (1) original and three (3) copies** of the technical proposal. The original must be signed by an authorized representative of the Proposer. The Proposer must write the RFP title and number on the outside of the sealed envelope.
  - b. The Proposer must submit **one (1) original and three (3) copies** of the cost proposal. The original must be signed by an authorized representative of the Proposer. The original cost proposal (and the copies thereof) must be submitted to the AOC in a single sealed envelope, separate from the technical proposal. The Proposer must write the RFP title and number on the outside of the sealed envelope.
- 5.3 Proposals must be delivered by the date and time listed on the coversheet of this RFP to:

Judicial Council of California, Administrative Office of the Courts  
Attention: Nadine McFadden  
455 Golden Gate Avenue  
San Francisco, CA 94102-3688

- 5.4 Late proposals will not be accepted.
- 5.5 Only written proposals will be accepted. Proposals must be sent by registered or certified mail, courier service (e.g. FedEx), or delivered by hand. Proposals may not be transmitted by fax or email.

## 6.0 PROPOSAL CONTENTS

- 6.1 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. Proposer's name, address, telephone and fax numbers, and federal tax identification number. Note that if Proposer is a sole proprietor using his or her social security number, the social security number will be required before finalizing a contract.
  - b. Names, addresses, and telephone numbers of a minimum of three clients for whom the Proposer has conducted similar services. The AOC may check references listed by Proposer.
  - c. Proposed method to complete the work.
    - i. Proposed list of course offerings.
    - ii. Timeline and milestones required for implementation of the online learning system by January 1, 2014.
    - iii. Timeline and milestones required for implementation of customized reporting tools by January 1, 2014.
    - iv. Pricing proposal for costs on a per use basis, based on 2000 uses/launches per contract term.
    - v. Price per additional uses in excess of the 2000 uses/launches included in the three year contract term.
  - d. Acceptance of the Terms and Conditions.
    - i. On Attachment 3, the Proposer must either indicate acceptance of the Terms and Conditions or clearly identify exceptions to the Terms and Conditions. An "exception" includes any addition, deletion, or other modification.
    - ii. If exceptions are identified, the Proposer must also submit a red-lined version of the Terms and Conditions that clearly tracks proposed changes, and a written explanation or rationale for each exception and/or proposed change.
  - e. Certifications, Attachments, and other requirements.
    - i. Proposer must include the following certification in its proposal:

Proposer certifies that it has no interest that would constitute a conflict of interest under California Public Contract Code sections 10365.5, 10410 or 10411; Government Code sections 1090 et seq. or 87100 et seq.; or rule 10.103 or rule 10.104 of the California Rules of Court, which restrict employees and former employees from contracting with judicial branch entities.

- ii. Proposer must complete the Darfur Contracting Act Certification (Attachment 4) and submit the completed certification with its proposal.
- iii. If (i) Proposer is a corporation, limited liability company, or limited partnership, and (ii) the agreement resulting from this RFP will be performed in California, proof that Proposer is in good standing and qualified to conduct business in California.

6.2 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. Budget must include pricing for costs on a per use basis, based on 2000 uses/launches per contract term and price per additional uses in excess of the 2000 uses/launches included in the three year contract term.
- 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.

## 7.0 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 AOC reserves the right to negotiate extensions to this period.



**8.0 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 AOC 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 AOC will post an intent to award notice at <http://www.courts.ca.gov/rfps.htm> .

<b>CRITERION</b>	<b>MAXIMUM NUMBER OF POINTS</b>
<i><b>NOTE: THESE ARE SAMPLE CRITERIA. THE ACTUAL CRITERIA USED SHOULD BE TAILORED TO THE SPECIFIC PROCUREMENT.</b></i>	
<i>Quality of work plan submitted</i>	<b>20</b>
<i>Experience on similar assignments</i>	<b>5</b>
<i>Cost</i>	<b>30</b>
<i>Credentials of staff to be assigned to the project</i>	<b>5</b>
<i>Acceptance of the Terms and Conditions</i>	<b>20</b>
<i>Ability to meet timing requirements to complete the project</i>	<b>20</b>

**9.0 CONFIDENTIAL OR PROPRIETARY INFORMATION**

One copy of each proposal will be retained by the AOC for official files and will become a public record. California judicial branch entities are subject to rule 10.500 of the California Rule of Court, which governs public access to judicial administrative records (see [www.courtinfo.ca.gov/cms/rules/index.cfm?title=ten&linkid=rule10\\_500](http://www.courtinfo.ca.gov/cms/rules/index.cfm?title=ten&linkid=rule10_500)).

If information submitted in a proposal contains material noted or marked as confidential and/or proprietary that, in the AOC’s sole opinion, meets the disclosure exemption requirements of Rule 10.500, then that information will not be disclosed upon a request for access to such records. If the AOC finds or reasonably believes that the material so marked is **not** exempt from disclosure, the AOC will disclose the information regardless of the marking or notation seeking confidential treatment.

Notwithstanding the above, the California Public Contract Code requires the public inspection of certain proposals. If required to do so by the Public Contract Code, the AOC may disclose all information contained in a proposal, including information marked as confidential or proprietary.

#### **10.0 DISABLED VETERAN BUSINESS ENTERPRISE PARTICIPATION GOALS**

The AOC has waived the inclusion of DVBE participation in this solicitation.”

#### **11.0 PROTESTS**

Any protests will be handled in accordance with Chapter 7 of the Judicial Branch Contract 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 AOC to receive a solicitation specifications protest is: the proposal due date. Protests, referencing the RFP number, should be sent to:

Judicial Council of California, Administrative Office of the Courts  
Attention: Protest Officer, Business Services  
455 Golden Gate Avenue, 6th Floor  
San Francisco, CA 94102