|  |  |  |
| --- | --- | --- |
| RC2 |  | REQUEST FOR PROPOSALS |
| **Judicial Council of California, Human Resources**  **ADDENDUM #2**  **REGARDING:**  **ABILITY-TO-PAY ON-LINE TOOL**  **RFP NO.: CJS-2017-08-ML**  **RFP NO.: CJS-2017-08-ML**  **PROPOSALS DUE:**  **September 20, 2017**  **NO LATER THAN 3:00 P.M. PACIFIC TIME** |

This Addendum 2 hereby modifies the RFP as follow:

1. Deletions in the RFP are shown in strikeout font (~~strikeout font~~); and insertions in the RFP are shown in bold underlined font (**bold underlined font**). Paragraph numbers refer to the numbers in the original RFP.
2. The following changes are made to the RFP, Section 5.0, RFP ATTACHMENTS:

**5.0 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: Judicial Council Standard Terms and Conditions | If selected, the person or entity submitting a proposal (the “Proposer”) must sign a Judicial Council Standard Form agreement containing these terms and conditions(the “Terms and Conditions”). |
| Attachment 3: Proposer’s Acceptance of Terms and Conditions | On this form, the Proposer must indicate acceptance of the Terms and Conditions or identify exceptions to the Terms and Conditions. |
| Attachment 4: General Certifications Form | The Proposer must complete the General Certifications Form and submit the completed form with its proposal. |
| Attachment 5:  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 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: Requirements Document  [Revision No. 1] | The Proposer must complete the requirements document and submit the completed document with its proposal. |
| Attachment 9:  RFP Response Template | The Proposer must complete the response to the RFP and submit the completed document with its proposal |
| Attachment10:  NIST Standards | The National Institute of Standards and Technology security standards |
| Attachment 11: | Preliminary Ability-to-Pay-Tool-Data-Collection-Points |
| **Attachment 12:**  **DVBE Declaration** | **Complete this form only if the Proposer wishes to claim the DVBE inventive associated with this solicitation.** |
| **Attachment 13:**  **Bidders Declaration** | **Complete this form only if the Proposer wishes to claim the DVBE inventive associated with this solicitation.** |

1. The following changes are made to the RFP, Section 9, PROPOSAL CONTENTS:

9.1 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.

1. Completed Requirements Document and any relevant commentary on specific optional and mandatory system features. (**Attachment 8**)
2. Completed Executive Summary, Organization Overview and Qualifications, Project Management Plan, Product Offering Response, ATP Tool Development and Deployment, Section 6.1, and Additional Information (if desired) sections of the attached Response Template (**Attachment 9**).
3. 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.**

1. 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. Proof of financial solvency or stability (e.g., balance sheets and income statements).

v. (Conditional) A signed **Attachment 5**, Small Business Declaration if proposer wished to claim the small business preference associated with this solicitation.

vi. The Proposer must complete **Attachment 6**, Payee Data Record Form.

vii. 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.

viii. The Proposer must complete **Attachment 9**, RFP Response Template and submit the completed document with its proposal.

**vi. (Conditional) A signed Attachment 12, DVBE Declaration if proposer wished to claim the small business preference associated with this solicitation.**

**x. (Conditional) A signed Attachment 13, Bidders Declaration if proposer wished to claim the small business preference associated with this solicitation.**

1. The following changes are made to the RFP, Section 11, EVALUATION OF PROPOSALS:

**11.0 EVALUATION OF PROPOSALS**

The cost portion of proposals will be publicly opened at the date and time noted in Section 4.0.

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.

| **CRITERION** | **maximum number of points** |
| --- | --- |
| Cost | 50 |
| Acceptance of the Terms and Conditions | ~~5~~**3** |
| Experience and Qualifications | ~~15~~**14** |
| Quality of work plan submitted | 15 |
| Ability to meet requirements | 15 |
| **(“DVBE”) Incentive Disabled Veterans Business Enterprise incentive is available to qualified proposers**. | **3** |

1. The following changes are made to the RFP, Section 14, DISABLED VETERAN BUSINESS ENTERPRISE INCENTIVE:

**14.0 DISABLED VETERAN BUSINESS ENTERPRISE INCENTIVE**

~~The Judicial Council has waived the DVBE incentive in this solicitation.~~

* 1. **Qualification for the DVBE incentive is not mandatory. Failure to qualify for the DVBE incentive will not render a proposal non-responsive.**
  2. **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 11 above.**
  3. **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”).**
  4. **If Proposer wishes to seek the DVBE incentive:** 
     1. **Proposer must submit with its proposal a DVBE Declaration (Attachment 12) 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.**
     2. **Proposer must complete and submit with its proposal the Bidder Declaration (Attachment 13). Proposer must submit with the Bidder Declaration all materials required in the Bidder Declaration.**
  5. **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.**
  6. **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.**
  7. **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 MISREPREPRETATION 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.**

***END OF ADDENDUM 2***