

REVISION NO. 1



REQUEST FOR PROPOSALS

JUDICIAL COUNCIL OF CALIFORNIA

RFP TITLE: ONLINE NEWSROOM PROJECT

RFP NUMBER: COM-LSD-201504-JR

PROPOSALS DUE: MAY 29~~18~~, 2015 - NO LATER THAN 3:00 P.M. PACIFIC TIME



JUDICIAL COUNCIL
OF CALIFORNIA

LEADERSHIP SERVICES DIVISION
COMMUNICATIONS

1 BACKGROUND INFORMATION

The California Courts website, www.courts.ca.gov, is the central public online resource for California’s judicial branch of government, the largest court system in the nation. The website, which was redesigned in 2011, serves multiple audiences. Among its 800,000 monthly visitors are court users, litigants, and the general public; members of the judicial branch— justices, judges, and court staff –the legal community and justice partners; stakeholders and members of the legislative and executive branches; and members of the news media and opinion leaders. The website is administered by staff of the Judicial Council, the policymaking body for the California courts.

The Judicial Council’s Communications office serves the public information function for the Supreme Court, Appellate Courts, and Judicial Council. Among its responsibilities, the office creates, updates, and publishes news content in several sections of the California Courts website, including the home page, and has responsibility for the Newsroom section: www.courts.ca.gov/newsroom.htm, including all secondary content, such as [news releases](#), [NewsLinks](#) and [Fact Check](#). The office’s other news and public information responsibilities include media relations, media monitoring, social media engagement, and metrics and evaluation.

The Communications office seeks to improve its online news publishing, distribution, and monitoring capabilities through an integrated, hosted online newsroom solution.

1.1 The project goals are to:

- 1.1.1** Make existing online news and information content easier to find, thereby broadening its reach and relevance;
- 1.1.2** Expand the frequency and variety of online news and web content through which journalists source their stories;
- 1.1.3** Enable more nimble, timely, and flexible content publishing that directly informs and engages key audiences, improving transparency;
- 1.1.4** Optimize the office’s efficiency by streamlining tools and collaborative workflows; and
- 1.1.5** Improve the agency’s ability to communicate in a crisis or natural disaster through implementation of a “dark site.”

1.2 Examples of web content in other sections that would consolidate into the Newsroom:

- 1.2.1** [InFocus: Budget Crisis in the Judicial Branch](#)
- 1.2.2** [Chief Justice’s news and information](#)
- 1.2.3** [Chief Justice’s Media Gallery](#)
- 1.2.4** Integration with the California Courts social media channels, including [YouTube](#), [Twitter](#), and [Flickr](#), is also part of the planned Newsroom.

2 DESCRIPTION OF WEB DESIGN, HOSTED SOLUTION AND MIGRATION SERVICES.

2.1 The Judicial Council seeks web design services, a hosted solution, and migration services meeting the following specifications:

DESIGN		
Priority	No.	Requirements
High	101	Must be engaging, easy and intuitive to navigate, reflecting web design best practices.
High	102	Must integrate with the California Courts Web Style Guide and must be compatible with California Courts website design and navigation.
High	103	Must support most popular Browsers (Internet Explorer, Chrome, Mozilla FireFox, and Safari), current and last three versions.
Medium	104	Must be mobile-friendly and responsive.
High	105	Usability of the service, both front-end and back-end, must meet Judicial Council expectations.

CONTENT/FUNCTIONALITY		
Priority	No.	Requirements
High	106	Must manage, store, group, and display multiple content types: html, text, PDF, and multimedia, including images in a variety of file formats and resolutions, video, audio, embeds.
High	107	Must enable flexible changes in page layouts and menu structure after development.
Medium	108	Must present featured content in a slider/carousel display: visuals, html caption text, video, hyperlinks in captions.
Medium	109	Must enable the option of displaying PDF content via a viewer application or window.
High	110	Must enable rapid population and launch of a crisis “dark site”.
High	111	Media contact database must have the ability to select, edit, and add media contacts and store media lists.
High	112	Media contact database must be encrypted to protect sensitive or personal information.
High	113	Must include integrated publishing and distribution capabilities for news releases and other web content – simultaneous web page, email, and social media distribution from within the core platform.
Medium	114	Must detail if email distribution is limited or metered monthly, provide limits (where applicable).
High	115	Must enable end users to easily share published content through social channels.
High	116	Media monitoring must include: providing reports of daily online news coverage, filtered by keyword.

High	117	Media monitoring must provide ability to select, add, edit, and publish pertinent online headlines, links, and excerpts in a feed (i.e., NewsLinks).
High	118	Must include RSS feeds.
Medium	119	Must enable end users to request alerts via email and/or text messages.
Medium	120	Must include the ability to create and manage secure areas for password-protected content (e.g., content for journalists only, such as high-resolution photos or B-roll).
High	121	End user password listing or database must be encrypted.
High	122	Must include search engine optimization, including ability to tag with metadata and categorize content.
High	123	Must include context-specific search for end users (i.e., option to search within Newsroom content).
High	124	Must include ability for end users to search tags, metadata, and full text.
Medium	125	Must include search integrated with California Courts website – within the Newsroom, enable the option to search either Newsroom or entire California Courts site.
High	126	Must provide migration services for current content, including news releases (html and PDF) from Jan 2011 to the present.
Low	127	Must include built-in image editing capabilities.
Medium	128	Must include image asset management, enabling search through keywords or tags.
High	129	If storage is limited, must list initial limit.
High	130	Service must provide, at minimum, the same level of end user privacy as the California Courts website .
Low	131	Must be accessible via end-user mobile app.

ADMINISTRATIVE AND MEASUREMENT TOOLS		
Priority	No.	Requirements
High	132	Must include collaborative and publishing access: authorization levels and access to draft content, review, and publish.
High	133	Must include multi-user login capability.
High	134	Publishing access must meet Judicial Council security requirements: SSL login and user information encrypted in the database. Publishing user account passwords must meet Judicial Council standards.
Medium	135	For admin users: Must include the ability to configure workflow and approval processes through role-based access.
Medium	136	For end user password-protected areas: Must include the ability to set password protection; review and approve requests.
High	137	Responsiveness and usability of the service must meet Judicial Council expectations.
High	138	Must list document types supported and size limitations of the documents.

High	139	Must include website usage reports.
High	140	Must include distribution tracking.
Medium	141	Must include Twitter reports.
High	142	Must include User registration reports.
High	143	Must include News monitoring reports.

SERVICE AND SUPPORT		
Priority	No.	Requirements
High	144	Must include administrator and user training.
High	145	Must include 24-hour technical support.
High	146	Must include client service manager and/or help desk for ongoing support.
High	147	Must meet Judicial Council expectations for service -level-agreement: uptime and security.
High	148	Content must be backed up regularly and/or versioned for potential rollback in the event of corruption or deletion.
High	149	Service provider must provide timely notice of scheduled maintenance or any technical issues affecting site availability or functionality.

CONTRACTING AND PERFORMANCE		
Priority	No.	Requirements
High	150	Must include the ability to restore service in case of disaster.
High	151	Design, initial setup, and migration services solution must be within the one-time budget limit in the range of \$10,000.00 to \$20,000.00 . Outline must include a phased approach to development and implementation with related costs.
High	152	Hosted Solution Subscription Services solution must be within the annual price in the range of \$7,500.00 - \$15,000.00 .
High	153	Implementation must be complete for User Acceptance testing no later than August 3, 2015 .
High	154	Ability to go live in Production must be no later than September 4, 2015 .
High	155	All data, systems, and all support staff must reside within the United States.

2.2 Refer to Attachment 7, Online Newsroom Project Requirements Answer Form, and provide Yes or No answers to indicate proposer’s capabilities of meeting the specifications listed above.

2.3 The Judicial Council seeks the services of an entity with the expertise to perform the following scope of services:

2.3.1 Strategy Refinement Phase

2.3.1.1 Consult with Judicial Council staff to refine the content inventory, features/functions list, and design strategy for the new online newsroom.

2.3.2 Design Phase

2.3.2.1 Create and submit a minimum of two design choices that reflect the content and design strategy and incorporate the visual branding of the California Courts website.

2.3.2.2 Present the design mockups to Judicial Council Communications for review and feedback.

2.3.2.3 Incorporate feedback and refine to a final design.

2.3.3 Build Phase

2.3.3.1 Build the hosted online newsroom solution.

2.3.4 Implementation Phase

2.3.4.1 Migrate existing content to populate the online newsroom.

2.3.4.2 Lead functional, usability, and quality assurance testing.

2.3.4.3 Perform staff user training.

2.3.4.4 Work with Judicial Council Communications and IT staff to support launch.

2.3.5 Close Phase

2.3.5.1 Provide dedicated support to the Judicial Council, for a minimum of six weeks following implementation to troubleshoot and answer any technical and transitional questions.

3 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	April 22, 2015
Deadline for questions	April 30, 2015 Due no later than 3:00PM, Pacific Standard Time.
Questions and answers posted (<i>estimate only</i>)	May 6, 2015
Latest date and time proposal may be submitted	May 2918, 2015 , Due no later than 3:00PM, Pacific Standard Time.

EVENT	DATE
Anticipated interview dates (<i>estimate only</i>)	June 1, 2015 May 20th–22nd, 2015
Evaluation of non-cost proposals (<i>estimate only</i>)	June 8 5th - 9 8th, 2015
Non-cost proposals scores posted at www.courts.ca.gov/rfps/htm (<i>estimate only</i>)	June 10 8, 2015
Public opening of cost portion of proposals. Notice of date, time, and location to be posted at www.courts.ca.gov/rfps.htm (<i>estimate only</i>)	June 11 9, 2015
Evaluation of cost portion of proposals (<i>estimate only</i>)	June 12 9th – June 15th, 2015
Notice of Intent to Award (<i>estimate only</i>)	June 15 5, 2015
Negotiations and execution of contract (<i>estimate only</i>)	June 19 9, 2015
Contract start date (<i>estimate only</i>)	June 22 2, 2015
Contract end date (<i>estimate only</i>)	June 30 30, 2016

4 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 this 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: <i>Online Newsroom Project Requirements Answer Form</i>	The Proposer must complete this form to indicated proposed solution’s capabilities of meeting the Online Newsroom’s specifications.
Attachment 8: DVBE Declaration	Complete this form only if the Proposer wishes to claim the DVBE incentive associated with this solicitation.
Attachment 9: Bidders Declaration	Complete this form only if the Proposer wishes to claim the DVBE incentive associated with this solicitation.

5 PAYMENT INFORMATION

Payment information is as follows:

5.1 The Basis for Payment

- 5.1.1 One-time cost of design, build, and implementation and;
- 5.1.2 Annual cost of hosted solution subscription.

5.2 Budgetary Limits

- 5.2.1 One-Time Design, Build, Implementation: one-time cost in the range of **\$10,000.00 to \$20,000.00**.
- 5.2.2 Hosted Solution Annual Subscription: Annual cost in the range of **\$7,500.00 - \$15,000.00**.

5.3 Travel will not be required or available for reimbursement.

6 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, the non-cost portion and the cost portion.

- 6.2.1 The Proposer must submit one (1) original and four (4) copies of the non-cost portion of the proposal. The original must be signed by an authorized representative of the Proposer. The original non-cost portion of the proposal (and the copies thereof) must be submitted to the Judicial

Council in a single sealed envelope, separate from the cost portion. The Proposer must write the RFP title and number on the outside of the sealed envelope.

- 6.2.2** The Proposer must submit one (1) original and four (4) copies of the cost portion of the proposal. The original must be signed by an authorized representative of the Proposer. The original cost portion of the proposal (and the copies thereof) must be submitted to the Judicial Council in a single sealed envelope, separate from the non-cost portion. The Proposer must write the RFP title and number on the outside of the sealed envelope.
- 6.2.3** The Proposer must submit an electronic version of the entire proposal on CD / USB Memory Stick / Flash Drive. The files must be in PDF, Word, and/or Excel formats. All media containing electronic files of the cost and non-cost portions of the proposal must be submitted to the Judicial Council in a single sealed envelope, separate from the cost and non-cost portion. The Proposer must write the RFP title, RFP number, and designate Cost and Non-Cost Proposals - Electronic Media on the outside of the sealed envelope.

- 6.3** Proposals must be delivered by the date and time listed on the coversheet of this RFP to:

Judicial Council of California
Attn: Nadine McFadden, **RFP #COM-LSD-201504-JR**
455 Golden Gate Avenue, 6th Floor
San Francisco, CA 94102-3688

- 6.4** Late proposals will not be accepted.

- 6.5** 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.

7 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.

- 7.1.1** 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.
- 7.1.2** 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.
- 7.1.3** Names, addresses, and telephone numbers of a minimum of three (3) clients for whom the Proposer has provided similar services. The Judicial Council may check references listed by the Proposer.
- 7.1.4** 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.
- 7.1.5** Proposed method to complete the work.
 - 7.1.5.1** Describe the proposed method to complete the work, including a detailed work plan with milestones and deliverables.
 - 7.1.5.2** Describe your plan to ensure continued customer satisfaction throughout this engagement. Include items such as guarantees, client surveys, escalation procedures, and periodic meetings with the Judicial Council Project Manager.
 - 7.1.5.3** Describe your proposed invoicing process. Please note that the Judicial Council will make every effort to ensure that invoices are paid promptly, but is unable to pay any late fees or interest payments on invoices past due.
- 7.1.6** Acceptance of the Terms and Conditions.
 - 7.1.6.1** 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.
 - 7.1.6.2** 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.
- 7.1.7** Certifications, Attachments, and other requirements.
 - 7.1.7.1** The Proposer must complete the General Certifications Form (Attachment 4) and submit the completed form with its proposal.
 - 7.1.7.2** 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.

- 7.1.7.3 Copies of the Proposer's (and any subcontractors') current business licenses, professional certifications, or other credentials.
- 7.1.7.4 **(Conditional) A signed Attachment 8, DVBE Declaration Form if proposer seeks the Disabled Veteran Business Enterprise preference.**
- ~~7.1.7.3~~ 7.1.7.5 **(Conditional) A signed Attachment 9, Proposer Declaration Form if proposer seeks the Disabled Veteran Business Enterprise preference.**

7.1.8 A copy of Proposer's software licenses agreement for evaluation purposes.

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

7.2.1 Design, Initial Setup, and Migration Services

- 7.2.1.1 A detailed line item budget showing total cost of the proposed services.
- 7.2.1.2 A full explanation of all budget line items in a narrative entitled "Budget Justification."
- 7.2.1.3 A "not to exceed" total for all work and expenses payable under the contract, if awarded.

7.2.2 Hosted Solution Subscription Services

- 7.2.2.1 A detailed line item budget showing total cost of the proposed hosted subscription services. The budget must be outlined in the following format:
 - 7.2.2.1.1 Initial Term: July 1, 2015 – June 30, 2016.
 - 7.2.2.1.2 First Option Term: July 1, 2016 – June 30, 2017
 - 7.2.2.1.3 Second Option Term: July 1, 2017 – June 30, 2018
 - 7.2.2.1.4 Third Option Term: July 1, 2018 – June 30, 2019
- 7.2.2.2 A full explanation of all budget line items in a narrative entitled "Budget Justification."
- 7.2.2.3 A "not to exceed" total for all work and expenses payable under the contract, if awarded.
- 7.2.2.4 Indicate all limitations relative to content, data size, storage, archiving, routine site backup, and maintenance.

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 OFFER PERIOD

A Proposer's proposal is an irrevocable offer for one hundred twenty (**120**) 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 EVALUATION OF PROPOSALS

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.

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.

Although some categories are weighted more than others, all are considered necessary (except DVBE Incentive), and a proposal must be technically acceptable in each area to be eligible for award. The evaluation categories, maximum possible points for each category, and evaluation criteria for each category are set forth below.

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

CRITERION	REFERENCES TO APPLICABLE RFP SECTIONS AND SUBMITTALS	MAXIMUM NUMBER OF POINTS
Ability to meet project and timing requirements	2.1, 2.3.1.1, 2.3.2.1 through 2.3.2.3, 2.3.3.1, 2.3.4.1 through 2.3.4.4, 2.3.5.1, and Attachment 7	10
Quality and specificity of work plan submitted	6.1, 7.1.5, 7.1.5.1 through 7.1.5.3	20
Specialized expertise, technical competence, experience on similar projects, and reference checks	7.1.3, 7.1.4, and 10	10
Cost	2.1, 5.1 through 5.1.2, 5.2.1, 5.2.2, 7.2, 7.2.1, 7.2.1.1 through 7.2.1.3, 7.2.2, 7.2.2.1, 7.2.2.1.1 through 7.2.2.1.4, 7.2.2.2 through 7.2.2.4.	50
(“DVBE”) Incentive Disabled Veterans Business Enterprise incentive is available to qualified proposers.	12.1 through 12.7; Attachment 8; and Attachment 9	3

CRITERION	REFERENCES TO APPLICABLE RFP SECTIONS AND SUBMITTALS	MAXIMUM NUMBER OF POINTS
Acceptance of the Terms and Conditions	7.1.6, 7.1.6.1, 7.1.6.2, 7.18, Attachment 3, Attachment 4, and Attachment 5	7 10

10 INTERVIEWS

The Judicial Council **will conduct interviews** with Proposers to clarify aspects set forth in their proposals or to assist in finalizing the ranking of top-ranked proposals. Eligible proposers will also be scheduled to present a **demonstration**.

Note: Interviews and demonstrations may be conducted in person, by phone and/ or online via WebEx, JoinMe, or GoToMeeting.

If conducted in person, interviews will be held at the Judicial Council’s offices. The Judicial Council will not reimburse Proposers for any costs incurred in traveling to or from the interview location. The Judicial Council will notify eligible Proposers regarding interview arrangements.

11 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 DISABLED VETERAN BUSINESS ENTERPRISE INCENTIVE

12.1 Qualification for the DVBE incentive is not mandatory. Failure to qualify for the DVBE incentive will not render a proposal non-responsive.

12.2 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 9 above.

12.3 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").

12.4 If Proposer wishes to seek the DVBE incentive:

12.4.1 Proposer must submit with its proposal a DVBE Declaration (Attachment 8) 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.

12.4.2 Proposer must complete and submit with its proposal the Bidder Declaration (Attachment 9). Proposer must submit with the Bidder Declaration all materials required in the Bidder Declaration.

12.5 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.

12.6 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.

12.7 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.

~~11-DISABLED VETERAN BUSINESS ENTERPRISE INCENTIVE~~

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

1213 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 Judicial Council'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 Judicial Council'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 micro-business 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 Judicial Council 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 MISREPRETATION IN CONNECTION WITH THE SMALL BUSINESS PREFERNCE IS UNLAWFUL AND IS PUNISHABLE BY CIVIL PENALTIES. SEE GOVERNMENT CODE SECTION 14842.5.

1314 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 proposal due date. Protests must be sent to:

Judicial Council of California
Finance | Business Services
Attn: Protest Hearing Officer, **RFP #COM-LSD-201504-JR**
455 Golden Gate Avenue, 6th Floor
San Francisco, CA 94102-3688