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| RC2 | REQUEST FOR PROPOSALS |
| ***JUDICIAL COUNCIL OF CALIFORNIA***  **Regarding:** Proposals to enter into a Master Agreement to provide technical staff augmentation services to the Judicial Council of California and the six Courts of Appeal.  **Project Title:** Master Agreements for Technical Staff Augmentation Services  **RFP Number:** ISD-201601-RB  **Questions Due:** 1:00 p.m. Pacific Time, APRIL 27, 2016  **Proposal Due:** 1:00 p.m. Pacific Time, MAY 11, 2016  **Deliver Proposals To:**  Judicial Council of California  Administrative Office of the Courts  Attn: Nadine McFadden, RFP # ISD-201601-RB  455 Golden Gate Avenue, 6th floor  San Francisco, CA 94102 |

1. **GENERAL INFORMATION**
   1. Background
      1. The Judicial Council of California (JCC), 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.
      2. Prior to the passage of California Assembly Bill 233 (AB 233) in 1997, funding for the State of California’s trial courts were the responsibility of the 58 local county governments throughout the state. However, with the passage of AB 233, the responsibility for funding of the trial courts shifted to the California Judicial Council. The JCC is currently responsible for the development, acquisition, implementation, and support of automated systems in the supreme and appellate courts, trial courts, and the JCC. Various technology initiatives are currently being developed and supported. In addition, the JCC has hired a third-party application service provider to host its major applications. The JCC anticipates contracting for technical consultants on an as-needed basis to assist with its various technology initiatives to support automated systems in the California courts and JCC.
   2. The RFP, including all attachments, and any addenda that may subsequently be issued will be available on the following JCC Court website (“**Court Website**”):

<http://www.courts.ca.gov/rfps.htm>

* 1. The JCC currently has the following quantities and technical staff classifications performing work. These positions were awarded Work Orders from its Master Agreement for Technical Staff Augmentation Services RFP that expired March 31, 2016.

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| **Quantity** | **Classification** |
| 1 | Application IT Architect |
| 2 | Application Support Analyst |
| 1 | Application Tester |
| 1 | Application Testing Lead |
| 3 | Sr. Business Applications Analyst |
| 4 | Sr. Business Systems Analyst |
| 3 | Database Administrator |
| 1 | Enterprise IT Architect |
| 2 | Infrastructure/Operations IT Architect |
| 8 | IT Developer |
| 2 | IT Developer Lead |
| 1 | IT Program Manager |
| 4 | IT Project Manager |
| 3 | Network Engineer |
| 4 | Technical Analyst |
| 2 | TIBCO Development Engineer |

1. **PURPOSE OF THIS RFP**
   1. The JCC seeks to identify and retain qualified technical staff augmentation staffing agencies under an undetermined number of master agreements to supply the JCC and Appellate courts, each a “Participant,” with high-quality, cost-effective, professional technical staff. The master agreement holders will serve as the qualified bid list for Participant’s professional technical staff requirements for the duration of master agreement contract term. This RFP is the means for prospective technical staff augmentation staffing agencies to submit their qualifications to the JCC and request selection for award of a master agreement as a result of this RFP.
   2. The JCC anticipates awarding the master agreements for an initial two-year term, with three additional consecutive one-year option terms for a potential maximum total of five years. The initial term of each master agreement is anticipated to cover the period of **TBD, 2016** through **TBD, 2018.** Each of the three option terms may only be exercised at the JCC’s sole discretion.
   3. Over the last year, the JCC spent in excess of $8 million for technical staff augmentation personnel. However, the JCC does not guarantee that master agreement awardees will receive a specific volume of work, a specific total contract amount, or a specific order value under any master agreement executed pursuant to this RFP. Additionally, there will be no limit on the number of Work Orders the JCC may issue under a master agreement, nor will there be any specific limitation on the quantity, minimum and/or maximum value of individual Work Orders.
   4. This RFP will cover professional technical staff requirement needs for the JCC located in San Francisco and its regional offices located in Burbank and Sacramento, California and the needs for the Courts of Appeal located in San Francisco, Los Angeles, Sacramento, San Diego, Fresno, and San Jose. It is the expectation of the JCC that the majority of professional technical staff consultant requirement needs under the master agreements anticipated by this RFP will be in San Francisco, however, consultants may be based at other locations as set forth in the Work Orders issued pursuant to the master agreements.
2. **Procurement Schedule**
   1. The following key events and key dates shall apply to this RFP:

| **No.** | **Key Event** | **Key Date** |
| --- | --- | --- |
| 1 | JCC issues RFP | April 19, 2016 |
| 2 | Deadline for Proposers to Submit Questions, Requests for Clarifications or Modifications to JCC Solicitations Mailbox | April 27, 2016, No later than 1:00 PM, Pacific Time. |
| 3 | Answers to Questions Posted on the JCC’s Court Website (estimate only) | April 29, 2016 |
| 4 | Proposal Due Date and Time | May 11, 2016, No later than 1:00 PM, Pacific Time. |
| 5 | Evaluation of non-cost proposals (estimate only) | May 12, 2016 – May 20, 2016 |
| 6 | Non-cost proposals scores posted at [www.courts.ca.gov/rfps.htm](http://www.courts.ca.gov/rfps.htm) (estimate only) | May 23, 2016 |
| 7 | Public opening of cost portion of proposals. Notice of date, time, and location will be posted at [www.courts.ca.gov/rfps.htm](http://www.courts.ca.gov/rfps.htm) (estimate only) | May 24, 2016 |
| 8 | Evaluation of cost portion of proposals (estimate only) | May 24, 2016 – May 26, 2016 |
| 9 | Finalize Evaluation (estimate only) | June 1, 2016 |
| 10 | Post Notice of Intent to Award at [www.courts.ca.gov/rfps.htm](http://www.courts.ca.gov/rfps.htm) (estimate only) | June 3, 2016 |
| 11 | Complete Negotiations and Execution of Master Agreements (estimate only) | June 10, 2016 |
| 12 | Contract start date (estimate only) | June 13, 2016 |
| 13 | Contract end date (estimate only) | May 31, 2018 |

* 1. All key events and dates are subject to change at the JCC’s sole discretion.
     1. Changes to dates listed for key event nos. 2 and 4 (Deadline for Proposers to Submit Questions, Requests for Clarifications or Modifications, or Proposal Due Date and Time) set forth above, and on the coversheet of this RFP will only be made by posting an addendum on the Court Website.
     2. The dates listed for key events no. 3, and nos. 5-14, above, are estimated dates only and may be changed at the JCC’s sole discretion. Prior to the Proposal Due Date and Time, the JCC will communicate any such change by posting a notice to the Court Website.
     3. Upon selection of the preferred vendors to which the JCC intends to award master agreements, the JCC will notify all proposers in writing of their selection/non-selection for award of the services set forth in the RFP. The JCC will subsequently post a public “Notice of Intent to Award” announcement on the Court Website, which will identify all selected vendors.
  2. It shall be the sole responsibility of prospective proposers to monitor the Court Website to ascertain whether the JCC has issued an addendum changing any element of the RFP, including key events or their key dates.

1. **RFP Attachments**

The following Attachments are included as part of this RFP.

| **Attachment** | **Description** |
| --- | --- |
| A | **Administrative Rules Governing Request for Proposals.** Proposers shall follow the rules, set forth in Attachment A, in preparation of their proposals. |
| B | **Master Agreement Terms and Conditions**. Contracts with successful firms will be signed by the parties on a Judicial Council of California Standard Agreement form and will include terms appropriate for this project. Terms and conditions for the requested services are attached as Attachment B. |
| C and C-3 | **Evaluation Criteria & Proposal Submission Form.** Proposers must use the Proposal Submission Form in submitting their proposal. |
| D | **Payee Data Record.** The JCC is required to obtain and keep on file, a completed Payee Data Record for each vendor prior to entering into a contract with that vendor. Therefore, proposer’s proposal must include a completed and signed Payee Data Record Form |
| E | **Disabled Veteran Business Enterprise Incentive** |
| F | **Small Business Declaration** |
| G | **General Certifications Form** |
| H | **Iran Contracting Act Certification** |

1. **SCOPE OF SERVICES**
   1. The technical staff augmentation staffing agencies selected as a result of this RFP will be awarded master agreements that will serve as making the master agreement holders, the qualified bidders list for the JCC’s professional technical staff augmentation requirements for the duration of master agreement contract term and any option terms.
   2. Pursuant to the Work Order Process and Administration (set forth in Attachment B, Exhibit D to this RFP), the Participant, as staffing requirements dictate, will solicit master agreement holders for proposals to fill individual professional technical staff augmentation requirements by issuing Work Order Request Forms to the master agreement holders.
   3. Applying the selection criteria set forth in each individual Work Order Request Forms issued pursuant to the Work Order Process and Administration, the Participant will select the proposal that best meets the its requirements, and award a Work Order to that master agreement holder.
2. **EXISTING WORK ORDERS**

It is the intent of the JCC that existing contracted professional technical staff will remain under their current existing Work Orders until such Work Orders expire, and not be transitioned to a subsequent Master Agreement should the existing contracted professional technical staff’s contractor be awarded a Master Agreement.

1. **EVALUATION OF PROPOSALS**
   1. The JCC will conduct a comprehensive, fair, and impartial evaluation of proposals received in response to this RFP. All proposals received from vendors will be reviewed and evaluated by a committee of qualified personnel (“Evaluation Committee”). The name, units, or experience of any individual members of the Evaluation Committee will not be made available to any vendor.
   2. Evaluation Criteria. A total of 100 possible points has been assigned to the criteria set forth in Attachment C, Evaluation Criteria & Proposal Submission Forms, of the RFP; maximum possible points are included for each criterion listed. The points indicate relative weight or importance given to each criterion. The Evaluation Committee will score each proposal, based upon the proposed information for each specified criterion and total possible number of points for that criterion. The evaluation criteria, including the maximum points for each criterion, and the required information to be submittedfor this solicitation is set forth in Attachment C of the RFP.

| **CRITERION** | **maximum number of points** |
| --- | --- |
| Pricing (Attachment C-3) | 50 |
| Placement History (Attachment C-2) | 15 |
| Proposers Acceptance of Master Agreement Terms and Conditions (Attachment C-5) | 15 |
| Key Staff (Attachment C-4) | 6 |
| Methodologies (Attachment C-1) | 6 |
| Viability of Firm (Attachment C-6) | 5 |
| DVBE (Attachment E) | 3 |
| Maximum Number of Points | **100** |

1. **SPECIFICS OF A RESPONSIVE PROPOSAL**
   1. A proposer’s proposal shall contain the information specified under each evaluation criterion in Attachment C, Evaluation Criteria & Proposal Submission Forms, and Attachment C-3, Evaluation Criteria & Proposal Submission Forms.
   2. Responsive proposals should provide straightforward, concise information that satisfies the requirements noted under each evaluation criteria set forth in Attachment C and Attachment C-3. Expensive bindings, color displays, and the like are neither necessary nor desired. Emphasis should be placed on conformity to the state’s instructions, requirements of this RFP, and completeness and clarity of content.
   3. A proposer’s pricing proposal, including discount structure, shall be based strictly on the RFP as posted, including Attachment B, Master Agreement Terms and Conditions, and **NOT** on any exceptions that the vendor may propose to the Master Agreement Terms and Conditions or any other portion of the RFP.
   4. Should a proposer make their submission under the Pricing evaluation criteria conditional on the JCC accepting proposer’s proposed changes to the Master Agreement Terms and Conditions or any other portion of the RFP, the JCC may deem such conditions to be non-responsive to the requirements of the RFP, and may result in the proposer’s proposal being disqualified for further evaluation.
   5. Certifications, Attachments, and other requirements.
      1. The Proposer must complete the General Certifications Form and submit the completed form with its proposal.
      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.

* + 1. Copies of the Proposer’s (and any subcontractors’) current business licenses, professional certifications, or other credentials.
    2. Proof of financial solvency or stability (e.g., balance sheets and income statements).
    3. The Proposer must complete the Iran Contracting Act Certification and submit the completed certification with its proposal.

1. **SUBMISSION OF PROPOSALS**
   1. Proposals should provide straightforward, concise information that satisfies the requirements of *Section 8.0, Specifics of a Responsive Proposal*. 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.
   2. The Proposer must submit its proposal *in* ***two*** *parts*, the technical proposal and the cost proposal.
      1. **Technical Proposal**. The Proposer must submit **one (1) original and three (3) hard copies** **of the technical proposal and an electronic version on CD-ROM or flash drive. DO NOT include an electronic version of the cost proposal along with the technical proposal.**  The original must be signed by an authorized representative of the Proposer. The Proposer must **i**) seal and write the RFP title and RFP number on the outside of the sealed envelope; and **ii**) identify the sealed envelope as “**Technical Proposal**”.
      2. **Cost Proposal.** The Proposer must submit **one (1) original and three (3) copies of the cost proposal, Attachment C-3, and an electronic version on CD-ROM or flash drive.** 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 Judicial Council in a single sealed envelope, separate from the technical proposal.**  The Proposer must **i**) seal and write the RFP title and RFP number on the outside of the sealed envelope; and **ii**) identify the sealed envelope as “**Cost Proposal**”.
   3. Proposals must be delivered by the date and time listed on the coversheet of this RFP to:

Judicial Council of California

Branch Accounting and Procurement

**Attn: Nadine McFadden**

**RFP# ISD-201601-RB**

455 Golden Gate Avenue, 6th Floor

San Francisco, CA 94102-3688

* 1. Late proposals will not be accepted.
  2. Only written proposals will be accepted. Submitting proposals by facsimile or email transmission is not acceptable, and any proposal so transmitted will be rejected as non-responsive.
  3. All proposals must be delivered via U.S. Mail, common carrier, overnight delivery service (with proof of delivery), or hand delivery. A receipt should be requested for hand delivered material. Proposals received prior to the Proposal Due Date & Time that are marked properly will be securely kept, unopened until the Proposal Due Date & Time. Proposals received after the Proposal Due Date & Time will be deemed non-responsive and will not be considered. The JCC shall not be responsible for any delays in mail or by common carriers or by delivery errors or delays or missed delivery.
  4. The proposer must prepare a cover letter on the prime proposer’s business letterhead to accompany the proposal. The purpose of this letter is to transmit the proposal; therefore, it should be brief. The letter must be signed by an individual who is authorized to bind his or her firm to all statements contained in the proposal. The cover letter must state who the proposed prime contractor is (legal business name), name the proposed subcontractors, if any, and provide the name, title, physical address, email address, and telephone number of one individual who is the proposer’s designated representative and single point of contact.
  5. The proposer’s technical proposal, including proposer’s cost/fee proposal must be submitted using Attachment F, Evaluation Criteria & Proposal Submission Form.
  6. A vendor's submitted proposal shall constitute an irrevocable offer for **120 days** following the Proposal Due Date & Time as set forth on the coversheet to this RFP.
  7. The proposer is solely responsible for ensuring that the full and complete proposal is received by the JCC in accordance with the solicitation requirements prior to the Proposal Due Date & Time and at the place specified.
  8. Any proposal containing information that proposer considers confidential and/or proprietary must comply with the requirements set forth in Attachment A, Administrative Rules Governing Requests for Proposals.

1. **DISABLED VETERAN BUSINESS ENTERPRISE INCENTIVE**
   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 7 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 E) 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 E). 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.**

1. **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 F). 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 MISREPREPRETATION IN CONNECTION WITH THE SMALL BUSINESS PREFERNCE IS UNLAWFUL AND IS PUNISHABLE BY CIVIL PENALTIES. SEE GOVERNMENT CODE SECTION 14842.5.**

1. **PROPOSED CONTRACT TERMS AND ADMINISTRATIVE RULES**
   1. Master agreements with the successful firms will be signed by the parties on a Judicial Council of California Standard Agreement form and will include terms appropriate for this project. Terms and conditions for the requested services are attached as Attachment B, Master Agreement Terms and Conditions.
   2. Proposers shall follow and be bound by the rules set forth in Attachment A, Administrative Rules Governing Requests for Proposals, in preparation of their proposals.
2. **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 nonresponsive, and will result in rejection of the protest. The deadline for the Judicial Council to receive a solicitation specifications protest is listed in the RFP timeline in this document. Protests should be sent to:

Judicial Council of California

Branch Accounting and Procurement

**Attn: Protest Officer**

**RFP# ISD-201601-RB**

455 Golden Gate Avenue, 6th Floor

San Francisco, CA  94102-3688

*End of RFP*