

# REQUEST FOR PROPOSALS

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**JUDICIAL COUNCIL OF CALIFORNIA**

**REGARDING:**

*Web Accessibility Implementation Plan & Strategy*

RFP NUMBER: IT-2018-42-RB

**PROPOSALS DUE:**

*MARCH 16, 2018* NO LATER THAN 3:00 P.M. PACIFIC TIME

## **1.0 BACKGROUND INFORMATION**

- 1.1 The Judicial Council of California (Judicial Council), 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 Judicial Council of California is the staff agency for the council and assists both the council and its chair in performing their duties.
- 1.2 The Judicial Council of California maintains several external and internal-facing Web properties, including the California Courts website ([www.courts.ca.gov](http://www.courts.ca.gov)) and a password-protected extranet site. Our California Courts website receives more than a million visitors a month and includes the state's largest collection of free self-help information; more than 1,300 Judicial Council legal forms, available for download, and a collection of both current and historical Appellate Court legal opinions.
- 1.3 While efforts to ensure Judicial Council websites meet current federal and state standards for web accessibility are ongoing, it is the intention of the Judicial Council to award a single contract to a firm that specializes in online accessibility to conduct an assessment of our sites and provide an implementation plan to help us address any unmet online accessibility requirements discovered as part of the assessment.

## **2.0 DESCRIPTION OF SERVICES AND DELIVERABLES**

- 2.1 The Judicial Council seeks the services of a person or entity with demonstrated business and technical credentials in advising public-sector organizations in achieving online accessibility compliance. The successful bidder will have both the tools and human talent to not only assess accessibility issues but also develop strategic implementation and remediation plans, containing specific technical instruction and guidance.
- 2.2 Services and solutions are detailed in the following business requirements:
  - 2.2.1 Conduct a digital content accessibility assessment(including deficiencies, recommendations) of one public-facing website (approx. 6,000 html pages, including text, images, media, and numerous Word and PDF docs);
  - 2.2.2 Conduct a digital content accessibility assessment (including deficiencies, recommendations) of one business extranet (approx. 4000 pages, including text, images, media, and numerous Word and PDF docs);

- 2.2.3 Draft and deliver a ‘Final Findings’ Report summarizing each assessment, including a plan to implement recommendations;
- 2.2.4 Draft and deliver a “Online Accessibility Action Plan”, including: implementation recommendations, prioritized by urgency of need, and level of effort;
- 2.2.5 Draft and deliver technical curricula (including guides, checklists, and illustrations) on how to achieve accessibility compliance for all content criteria outlined in [WCAG 2.0 Level AA](#) Web Design and Application Guidelines, including HTML & CSS; Audio and Video; Mobile Web; JavaScript, Graphics, etc.
- 2.2.6 Conduct a “knowledge transfer” seminar to select Judicial Council staff who will be conducting ‘train-the-trainer’ accessibility coaching to staff throughout the agency.

### 3.0 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.

<b>EVENT</b>	<b>DATE</b>
RFP issued	<i>February 23, 2018</i>
Deadline for questions	<i>March 2, 2018, 3pm PST</i>
Questions and answers posted	<i>March 7, 2018</i>
Latest date and time proposal may be submitted	<i>March 16, 2018, 3:00pm PST</i>
Notice of Intent to Award ( <i>estimate only</i> )	<i>March 23, 2018</i>
Negotiations and execution of contract ( <i>estimate only</i> )	<i>March 26-30, 2018</i>
Contract start date ( <i>estimate only</i> )	<i>April 1, 2018</i>
Contract end date ( <i>estimate only</i> )	<i>September 30, 2018</i>

### 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: Judicial Council Standard Terms and Conditions	<p>If selected, the person or entity submitting a proposal (the “Proposer”) must sign this Judicial Council Standard Form agreement.</p> <p>The following provisions, if applicable, within the Terms and Conditions are minimum contract terms and conditions (“Minimum Terms”): Qualification in California, Nondiscrimination, Domestic partners, spouses, gender, gender identity, National Labor Relations Board, Expatriate Corporations, Sweatshop Labor, Child Support Compliance Act, Termination Due to Nonavailability of Funds, Loss Leader, Antitrust Claims, Recycled products/post-consumer material, Priority Hiring, DVBE Commitment, Union activities and State Auditor Audit Provisions.</p>
Attachment 3: Proposer’s Acceptance of Terms and Conditions	<p>On this form, the Proposer must indicate acceptance of the Terms and Conditions or identify exceptions to the Terms and Conditions.</p> <p><b>Note: A material exception to a Minimum Term will render a proposal non-responsive.</b></p>
Attachment 4: General Certifications Form	The Proposer must complete the General Certifications Form and submit the completed form with its proposal.
Attachment 5: Darfur Contracting Act Certification	The Proposer must complete the Darfur Contracting Act Certification and submit the completed certification with its proposal.
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: DVBE Bidder Declaration	The Proposer must complete and submit the completed certification with its proposal, if applicable.
Attachment 8: DVBE Declaration	The Proposer must complete the DVBE Declaration, if applicable.

## 5.0 PAYMENT INFORMATION

Please refer to Appendix B, Payment Provisions, of Attachment 2, Standard Agreement.

## 6.0 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 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 original technical proposal (and the copies thereof) must be submitted to the Judicial Council in a single sealed envelope, separate from the cost proposal. 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 Judicial Council 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.
  - c. The Proposer must submit an electronic version of the entire proposal on CD-ROM or USB memory stick/flash drive. The files must be in PDF, Word, or Excel formats.
- 6.3 Proposals must be delivered by the date and time listed on the coversheet of this RFP to:
- Lenore Fraga- Roberts - Bid Desk  
RFP Number: IT-2018-42-RB  
Branch Accounting and Procurement | Administrative Division  
Judicial Council of California  
455 Golden Gate Avenue, 6<sup>th</sup> 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.

## 7.0 PROPOSAL CONTENTS

7.1 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. 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. 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.
- d. Names, addresses, and telephone numbers of a minimum of three (3) clients for whom the Proposer has conducted similar services. The Judicial Council may check references listed by the Proposer.
- 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 (i) a redlined version of the Terms and Conditions that implements all proposed changes, and (ii) 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.**
- 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 5) and submit the completed certification with its proposal.
- iii. 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.
- iv. Copies of the Proposer’s (and any subcontractors’) current business licenses, professional certifications, or other credentials.
- v. Proof of financial solvency or stability (e.g., balance sheets and income statements).

7.2 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.
- 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.

## 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 Judicial Council 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 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.

If a contract will be awarded, the Judicial Council will post an intent to award notice at <http://www.courts.ca.gov/>.

<b>CRITERION</b>	<b>MAXIMUM NUMBER OF POINTS</b>
Quality of work plan submitted	35%
Experience on similar assignments	15%
Cost	30%
Credentials of staff to be assigned to the project	5%
Acceptance of the Terms and Conditions	5%
Ability to meet timing requirements to complete the project	10%

## 10.0 INTERVIEWS

The Judicial Council *may* conduct interviews with Proposers to clarify aspects set forth in their proposals or to assist in finalizing the ranking of top-ranked proposals. The interviews may be conducted in person or by phone. If conducted in person, interviews will likely 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.

## 11.0 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.

## **12.0 DISABLED VETERAN BUSINESS ENTERPRISE INCENTIVE**

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

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, five (5) points will be added to the score assigned to Proposer’s proposal.

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”).

If Proposer wishes to seek the DVBE incentive:

1. Proposer must complete and submit with its proposal the Bidder Declaration (Attachment 7). Proposer must submit with the Bidder Declaration all materials required in the Bidder Declaration.
2. 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.

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.

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 MISREPRETATION 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.

### **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 Judicial Council to receive a solicitation *specifications* protest is March 2, 2018. Protest on the notice of intent to award will have a deadline of March 30, 2018. Protests must be sent to the:

Protest Officer  
RFP Number: IT-2018-42-RB  
Branch Accounting and Procurement | Administrative Division  
Judicial Council of California  
455 Golden Gate Avenue, 6<sup>th</sup> Floor  
San Francisco, CA 94102-3688