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| RC2 | REQUEST FOR PROPOSALS |
| **JUDICIAL COUNCIL OF CALIFORNIA**   Regarding: California Courts Digital Services and Self-Help Redesign: Open Source (Drupal) Web Content Management **RFP Number: RFP-IT-2019-11-LB**  **PROPOSALS DUE:**  May 3, 2019 no later than 4*:00* p.m. Pacific time |

## BACKGROUND INFORMATION

* 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.
  2. The Judicial Council of California maintains several external and internal-facing Web properties, including the California Courts website (www.courts.ca.gov). Our California Courts website receives more than a million visitors a month and includes the state’s largest collection of free legal self-help information; more than 1,300 fillable Judicial Council legal forms available for download, and hosts appellate court web properties, including the Supreme Court, Courts of Appeal and their respective case information and legal opinions.
  3. In support of Futures Commission recommendations, at the request of the Chief Justice of California, the California Courts Digital Services and Self-Help Redesignproject will deliver informational, instructional, and transactional digital services in support of Californians who are attempting to address legal issues without legal representation (an attorney).

1. **DeliveraBLES DESCRIPTION** 
   1. The Judicial Council seeks a qualified vendor with deep ‘enterprise’ Web Content Management Implementation (WCMS) and strategic planning services to deliver a federated, multi-site Drupal platform (Drupal 8), focusing initially on the envisioned new Self-Represented Litigant Portal. *(Note: this is a WCMS implementation project. Bidders interested in providing design services should reference RFP-IT-2019-10-LB).*
   2. The selected vendor will leverage and synthesize prior research on both our current web management ecosystem and user experience (UX) research to design and deliver a Drupal-based web content management framework to support Judicial Council web properties.
   3. The scope of this initiative includes building a platform to support our new Self-Represented Litigants portal and a re-platforming of existing JCC sites, our [California Courts website](https://www.courts.ca.gov/selfhelp-selfhelpcenters.htm), our password-protected business Extranet, and the JCC intranet.
   4. A high-level feature set for the envisioned platform includes, but is not limited to, the following:

* Multi-site management and permissions;
* Role-based permissions for site administration and content publishing;
* Template driven presentation layer;
  + - Design pattern libraries or UI collections *(Will be provided);*
    - Content authoring experience:
      * WYSIWYG editing with the option to customize underlying HTML source;
      * Widget library to insert inline UI components (e.g. tabbed content, accordion panels, columns, etc.);
      * Layout or template selection;
      * Publishing workflow and controls, including visibility scheduling;
      * Social media integration;
      * Versioning including comparison and restoration;
      * Automated main navigation generation with optional configurations;
      * Metadata management (e.g. SEO, tagging, categorization, etc.).
    - Asset management – locally for documents, externally for videos and audio;
    - Multilingual support for both content and presentation layer;
    - Single and multiple site search;
    - Analytics – local feature and/or third-party integration;
    - Taxonomy structure shared across multiple sites;
    - Extensible platform for customizations – existing components & features, add new components, integrations with third-party systems, etc.

2.5 Prospective vendors should endeavor to provide proposals that demonstrate their capability to fulfill the needs of the services specified in the table below. Vendors will be expected to spend a significant amount of time onsite at the JCC office in San Francisco and will be working in cross-collaboration with other vendor partners, JCC staff, and a JCC Project Manager.

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| **2.5.1 Strategic Analysis** | In support of the high-level feature set described in Section **1. Background Information**, the selected vendor will:   * Leverage prior research on our current web management ecosystem across the branch *(to be provided to the winning bidder)* to establish a Drupal-based web content management framework to support Judicial Council web properties, including:   + A new digital services web portal to serve Self Represented Litigants (SRLs) throughout California.   + An analysis and scope for establishing several legacy sites on the new Drupal platform, including: subsections and content on: [www.courts.ca.gov](http://www.courts.ca.gov), currently managed via OpenText/RedDot CMS.   + A JCC Intranet, currently on a ColdFusion platform.   + A password-protected branch Extranet, currently an html site utilizing “include” files to manage site navigation and templates.   + Up to six (6) ‘[partner’](https://www.courts.ca.gov/22609.htm) sites, current managed via OpenText/RedDot CMS.   + Eight (8) trial court sites currently managed via OpenText/RedDot CMS. (The plan should scale to manage new trial court sites that wish to leverage our platform.) * Deliver a report synthesizing research and proposing a strategic approach to architecting, designing, and delivering a federated, multi-site management and content production platform, built upon the Drupal framework. * Provide Project Management services to coordinate vendor activities and synchronization between other partners working on this initiative. |
| **2.5.2 Deployment Plan** | Based on the output of **2.5.1 Strategic Analysis**, and in support of all features and functions in: **RFP Response Template, Attachment 16, Section 3.0 Implementation Overview,** the vendor will deliver a comprehensive implementation and deployment plan, including proposals for organizing site sections, site domain management, end-user and administrator roles, and end-user permissions.  Work products under this deliverable include but are not limited to:   * A “mobile-first” strategy to ensure all content and templates are optimized for responsive adaptation to tablets and phones; * A site administration plan to support federated management across the platform; * End-user Workflow and Permissions schemas for all sites on the platform; * A strategy for implementing a design pattern system, such as [US Design System](https://v2.designsystem.digital.gov/) into Drupal. * The deployment strategy that should articulate and document the approach for delivering: * An intuitive WYSYWG authoring/editing environment for end-users; * A Headless CMS strategy that allow the Judicial Council to “syndicate” content to other websites either on or off our platform; * Support for design and/or integration of interactive ‘guided interviews’ that users along a decision-tree of questions and answers; * Support for dynamic content presentation, driven by simple end-user input, such as selecting a category and seeing a list of relevant forms; * A digital asset management plan, including planned approach for storing, uploading, and retrieving files; * Administration & User guide documentation; * Development & deployment documentation; * Quality assurance plan; * Go live deployment plan.   NOTE: Vendors are free to suggest a sequence of activities and amend, based on previous client experience, additional implementation components deemed necessary. |
| **2.5.3 Delivery, Execution & Implementation Services** | Collaborate with various Judicial Council content contributors and digital service teams to deliver the following services in a phased approach:   * Establish a secure development environment upon which to prototype and build new digital services, with both administrative and end-user permissions for JCC staff and vendor partners. * Provide Drupal development and professional services support to execute upon the approved framework and strategy outlined in Section 2.5.1 and 2.5.2. * Deliver various content types across numerous sites, including but not limited to: Judicial Council forms, Legal opinions, Invitations to comment, Guided interviews, and new content currently being developed for the new self-help portal. * Deliver content modules; page and site templates to support user needs and feature requirements detailed in **RFP Response Template, Attachment 16, Section 3.0 Implementation Overview,** including:   + Implement our site branding and design systems across the platform;   + Integrate and deploy site authentication (currently based on Siteminder.)   + Configure and deliver an analytics platform, including establishing metadata and SEO friendly URLs.   + Support a ‘go live’ hosting deployment plan;   + Provide a quality assurance and testing plan, pre-launch;   + Deliver ADA-compliant features and functions throughout the platform;   + Processes for several planned integrations, including Chatbot, Identity Management, and Intelligent forms. |
| **2.5.4 Training and Knowledge Transfer** | Deliver a Drupal training program for JCC staff and/or other platform users including:   * + WCMS end-user/author training (onsite);   + WCMS administrator/developer training (onsite);   + User documentation; (online and hard copies).   + Training materials (online and hard copies). |
| **2.5.5 Post-Launch Support** | Describe your approach and pricing methodology (e.g. hourly, retainer, per incident, etc.) for post-launch developer support.  ***Important****: Do not include any costs in the non-cost portion of your response. Include a 12-month post-launch proposal in the Cost Proposal portion of this RFP.* |

## 3.0 Timeline for this RFP

The Judicial Council of California 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 of California.

| **EVENT** | **DATE** |
| --- | --- |
| RFP issued**:** | April 8, 2019 |
| Deadline for questions submitted to [solicitations@jud.ca.gov](mailto:solicitations@jud.ca.gov) | April 17, 2019  No later than 1:00PM Pacific Time |
| Questions and answers posted on the Courts website *(estimated only)* | April 19, 2019 |
| Latest date and time proposal may be submitted | May 3, 2019  No later than 4:00PM Pacific Time |
| Evaluation of proposals (*estimate only*) | May 4-9, 2019 |
| Public opening of cost portion of proposals to be posted on the Courts website (*estimate only)* | May 10, 2019 |
| Notice of Intent to Award (*estimate only*) | May 15, 2019 |
| Negotiations and execution of contract (*estimate only*) | May 17, 2019 |
| Contract start date (*estimate only*) | June 17, 2019 |
| Contract end date (*estimate only*) | April 21, 2021 |

## 4.0 RFP ATTACHMENTS

The following attachments are included as part of this RFP. All attachments should be included in the non-cost portion of the proposal, except for the ones noted to be included in the cost portion.

| **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 to process payments and must be submitted with the proposal. |
| Attachment 7: Iran Contracting Act Certification | The Proposer must complete this form and include it in the **cost portion** of their proposal ONLY if the proposal cost is over $1,000,000.00 |
| Attachment 8: Unruh and FEHA Certification | The Proposer must complete the Unruh Civil Rights Act and California Fair Employment and Housing Act Certification. |
| Attachment 9: Bidder Declaration | The Proposer must complete and return this form with the proposal only if Proposer wishes to claim the DVBE incentive associated with this RFP. |
| Attachment 10: DVBE Declaration | Complete and return this form with the proposal only if Proposer wishes to declare DVBE status |
| Attachment 11: DARFUR Contracting Certification | The Proposer must complete and return this form with the proposal. |
| Attachment 12: JCC Prototype Design Patterns | The Proposer may reference this Prototype Design Patterns guide to better understand the content types and pattern libraries that might be needed for the project. The designs presented here have not been tested for usability and is meant as a reference only. |
| Attachment 13: Design Draft Element | The Proposer may reference this Draft of a Design Element that outlines possible steps or approaches for a particular process. The designs presented here have not been tested for usability and is meant as a reference only. |
| Attachment 14: Court User’s Journey | The Proposer may reference this Court User’s Journey guide to better understand the user journey or mental model of visitors coming to the courts sites. |
| Attachment 15: Reference Form | The Proposer must complete and return this Reference Form with the proposal. |
| Attachment 16: RFP Response Template | Complete and fully answer all requested information included within this attachment. |
| Attachment 17: Cost Portion Template | The Proposer must complete this Template for Cost Documentation and return it in the **cost portion** of the Proposal |

## 5.0 PAYMENT INFORMATION

The following payment-related issues are applicable:

* Basis for payments: Payments will be firm-fixed price, based on deliverables outlined in the final Scope of Work.
* Travel expenses will be reimbursed by Judicial Council of California.
* Payments will be withheld until Deliverables are officially accepted by JCC.
* A payment retention holdback of 10% may be applied to all Deliverables.

## 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 non-cost portion and the cost portion.**

a. The Proposer must submit **one (1) original and (2) 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 non-cost sealed envelope. Include a soft copy of this non-cost portion of the proposal in WORD or Excel on a marked thumb drive.

b. The Proposer must submit **one (1) original and (2) 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 cost sealed envelope. Include a soft copy of this cost portion of the proposal in WORD or Excel on a marked thumb drive.

6.3 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 | Administrative Division

Attn: Bid Desk

RFP #IT-2019-11-LB

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.

## 7.0 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.

* 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.
  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.

c. Proposed method to complete the work described in ***Section 2.0*** AND:

1. Completed responses to all solution assessment information outlined in the ***RFP Response Template, Attachment 16.*** (30 points)
2. Resumes and Credentials of all key personnel to be assigned to the project and hourly rates per function. (3 points)
3. Provide details of experience on assignments of similar scope and complexity (4 points)
4. Three client references from past WCMS implementation projects.

d. 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.

e. 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.

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

IT Services:

i. A detailed line item budget showing total cost of the proposed services, outlined in **Cost Portion Template, Attachment 17** **Section 2.0 Deliverables Description**.

ii. A full explanation of all budget line items in a narrative titled “Budget Justification.”

iii. A “not to exceed” total for all work and expenses payable under the contract, if awarded.

iv. Include a list of your reimbursable travel expenses and estimated costs for each expense.

**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

The cost portion of proposals will be publicly opened at the date noted in Section 3.0 at

Judicial Council of California

455 Golden Gate Avenue

San Francisco, CA 94102-3688

The bid opening time and location will be posted on the courts website. Alternatively, The Proposer can send an e-mail inquiry regarding time and location to [solicitations@jud.ca.gov](mailto:solicitations@jud.ca.gov).

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 www.courts.ca.gov.

| **CRITERION** | **maximum number of points** |
| --- | --- |
| Quality of work plan submitted and Proposer’s response to all functional narratives described in: RFP Response Template, Attachment 16. | 30 |
| Experience on assignments of similar scope and complexity. | 4 |
| Reasonableness of cost projections. Proposals will be evaluated in terms of reasonableness of cost, best value, and proposed rate structure. | 50 |
| Credentials of staff to be assigned to the project | 3 |
| Acceptance of the Terms and Conditions | 10 |
| DVBE | 3 |

## 10.0 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.

All custom implementations, integrations, API code, and any other associated programmed functionality created in support of this initiative will become property of the Judicial Council of California.

## 11.0 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, 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 9.0 above.

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 9). 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 10 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 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.

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.**

## 12.0 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 microbusiness 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 MISREPREPRETATION IN CONNECTION WITH THE SMALL BUSINESS PREFERNCE IS UNLAWFUL AND IS PUNISHABLE BY CIVIL PENALTIES. SEE GOVERNMENT CODE SECTION 14842.5.**

## 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*). 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:

Bid Desk

RFP Number: IT-2019-11-LB

Branch Accounting and Procurement | Administrative Division

Judicial Council of California

455 Golden Gate Avenue, 6th Floor

San Francisco, CA 94102-3688