

RFP Title: User-Testing and Designing Court Forms
RFP Number: CFCC-2023-03-LP

REQUEST FOR PROPOSALS

JUDICIAL COUNCIL OF CALIFORNIA

REGARDING:

User-Testing and Designing Court Forms

RFP NUMBER: CFCC-2023-03-LP

PROPOSALS DUE:

April 24, 2023 NO LATER THAN 1:00 P.M. PACIFIC TIME

1.0 BACKGROUND INFORMATION

- 1.1 The Judicial Council of California (JCC), chaired by the Chief Justice of California, is the policy-making body for the California court system. The California Constitution directs the JCC to improve the administration of justice by surveying judicial business and recommending improvements to the courts; and adopting rules for court administration.
- 1.2 The JCC creates court forms for statewide use in California. Currently there are over 1,300 fillable JCC forms available for use. Self-represented litigants often rely on these forms throughout their court case. It is important that JCC forms are legally accurate, easy to understand and easy to use. This project will focus on JCC court forms used in cases involving governmental child support, including user-testing court forms and developing new prototypes.
 - 1.2.1 In order to increase access to justice for self-represented litigants, prototypes of court forms should be designed with the following characteristics: they allow self-represented litigants to fill them out accurately and completely, they are respectful and fair, they reduce visits to the court, they reduce court clerk time spent reviewing and correcting forms, and they provide comprehensive and legally required information to courts in a uniform format that is easily understood by all court users.
- 1.3 The JCC intends to award one (1) Agreement with the initial term of approximately twelve (12) months estimated to be performed by the Proposer from May 15, 2023 through April 26, 2024.

2.0 DESCRIPTION OF SERVICES AND DELIVERABLES

- 2.1 The JCC seeks a qualified Proposer with professional user-centered design skills with a general understanding of the court process for child support cases. All form redesigns and research plans must be approved by the JCC Project Manager prior to performing the work. The successful Proposer will:
 - 2.1.1 Perform user-testing of a number of current forms from the Child Support form set with various self-represented litigants throughout California;
 - 2.1.2 Design court forms that are accessible, user-friendly, backed by user research, and conform to JCC standards. The primary goal is to redesign existing court forms to make the forms easier to complete and understand, while being legally accurate;
 - 2.1.3 Focus on a redesign of eight (8) to twelve (12) forms from the Child Support form set;

- 2.1.4 Perform user-testing of form prototypes with various self-represented litigants throughout California;
 - 2.1.5 Incorporate changes to prototypes based on user feedback received at different stages of the project;
 - 2.1.6 Develop a research plan for user-testing of forms; and
 - 2.1.7 Participate in planning meetings with staff and JCC committee members as needed.
- 2.2 All JCC forms are created using Adobe Experience Manager (AEM). Proficiency in AEM is desirable but not required. Proposer should have experience working in one or more form design programs.
- 2.3 Below includes an estimate of deadlines for deliverables. Actual deadlines may change and will be communicated to Proposer.

Deliverable	Description	Estimated Completion Date
1.	Develop and submit project plan and timeline to Project Manager.	May 26, 2023
2.	User test four (4) to six (6) current child support forms identified by Project Manager with at least five (5) self-represented litigants per form. User testing will be in-person or conducted virtually. Testing should be done on a diverse pool of individuals including diversity based on ability, English proficiency, and geography. Provide appropriate supplies for user-testing.	June 30, 2023
3.	Draft prototypes of the four (4) to six (6) selected child support forms identified by Project Manager based on feedback received during user testing. Submit to Project Manager.	July 28, 2023
4.	Incorporate changes suggested by Project Manager into form prototypes. Submit to Project Manager.	August 11, 2023
5.	Draft prototypes of four (4) to six (6) additional child support forms identified by Project Manager based on general concepts and feedback received during user testing. Submit to Project Manager.	September 15, 2023

Deliverable	Description	Estimated Completion Date
6.	Incorporate changes suggested by Project Manager into additional form prototypes. Submit to Project Manager.	September 29, 2023
7.	Attend at least three (3) planning calls with JCC staff to discuss prototypes and make changes based on committee feedback.	December 8, 2023
8.	User test four (4) to six (6) form prototypes identified by Project Manager with at least five (5) self-represented litigants. User testing will be in-person or conducted virtually. Testing should be done on a diverse pool of individuals including diversity based on ability, English proficiency, and geography. Provide appropriate supplies for user-testing.	January 26, 2024
9.	Incorporate changes to form prototypes based on feedback received during user testing and suggested by Project Manager. Submit to Project Manager.	February 9, 2024
10.	Proposer will be available on an on-going basis through April 26, 2024, to respond to any questions that may arise during the JCC forms approval process.	April 26, 2024

3.0 TIMELINE FOR THIS RFP

The JCC has developed the following list of key events related to this RFP. All dates are subject to change at the discretion of the JCC.

EVENT	DATE
RFP issued	April 5, 2023
Deadline for questions to solicitations@jud.ca.gov	April 12, 2023 no later than 1:00 PM (PT)
Questions and answers posted (<i>estimate only</i>)	April 17, 2023

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EVENT	DATE
Latest date and time proposal may be submitted to solicitations@jud.ca.gov	April 24, 2023 no later than 1:00 PM (PT)
Evaluation of proposals (<i>estimate only</i>)	April 25, 2023 to April 28, 2023
Notice of Intent to Award (<i>estimate only</i>)	May 1, 2023
Negotiations and execution of contract (<i>estimate only</i>)	May 2, 2023 to May 10, 2023
Contract start date (<i>estimate only</i>)	May 15, 2023
Contract end date (<i>estimate only</i>)	April 26, 2024

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: JCC 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: Darfur Contracting Act Certification	The Proposer must complete the Darfur Contracting Act Certification and submit the completed certification with its proposal.
Attachment 6A: Payee Data Record Form (STD 204)	This form contains information the JCC requires in order to process payments and must be submitted with the proposal.
Attachment 6B: Payee Data Record Supplement (STD 205)	This form is optional. This form is used to provide remittance address information if different than the mailing address on the STD 204 – Payee Data Record. Use this form to provide additional remittance addresses and additional Authorized Representatives of the Payee not identified on the STD 204.
Attachment 7: Bidder Declaration	The Proposer must complete this form if they wish to claim the DVBE incentive associated with this solicitation.
Attachment 8: DVBE Declaration	The Proposer must complete the DVBE Declaration form only if the Proposer is a DVBE, or if the Proposer will use DVBE subcontractor(s).

5.0 PAYMENT INFORMATION

The contract will be comprised of ten (10) deliverables with a firm fixed price per deliverable. The compensation outlined for the initial contract may not exceed **\$55,500** inclusive of all expenses, including travel expenses and user-testing supplies. Subject to

the terms in Attachment 2, Appendix B, Payment Provisions, the selected Proposer will be paid on a firm-fixed price per Deliverable basis.

The selected Proposer shall submit invoices upon satisfactory completion of services for each deliverable outlined below. Invoices shall include, in detail, all costs and applicable charges.

The Judicial Council's payment terms is net 60 days.

Payment will be made after the completion of deliverables as follows:

Payment Number	Billable Activity	Estimated Maximum Firm Fixed Amount	Estimated Invoice Due Date
#1	Completion of Deliverable #1	\$5,000	June 9, 2023
#2	Completion of Deliverable #2	\$10,000	July 14, 2023
#3	Completion of Deliverable #3	\$5,000	August 11, 2023
#4	Completion of Deliverable #4	\$3,500	August 25, 2023
#5	Completion of Deliverable #5	\$10,000	September 29, 2023
#6	Completion of Deliverable #6	\$3,500	October 13, 2023
#7	Completion of Deliverable #7	\$2,500	December 22, 2023
#8	Completion of Deliverable #8	\$10,000	February 9, 2024
#9	Completion of Deliverable #9	\$3,500	February 23, 2024
#10	Completion of Deliverable #10	\$2,500	May 10, 2024

6.0 SUBMISSIONS OF PROPOSALS

- 6.1 Proposals should provide straightforward, concise information that satisfies the requirements of the "Proposal Contents" section below. 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 **an electronic copy** of the technical proposal. The technical proposal must be signed by an authorized representative of the Proposer. The technical proposal must be submitted to Solicitations@jud.ca.gov. The Proposer must include the RFP title and number in the subject line of the email.
 - b. The Proposer must submit **an electronic copy** of the cost proposal. The cost proposal must be submitted in the same email as the technical proposal above, (via email to Solicitations@jud.ca.gov) **but should be a separate attachment marked “COST PROPOSAL,” from the technical proposal.** The Proposer must include the RFP title and number in the subject line of the email.
- 6.3 Submission acceptance will be based on the date and time the email is received by the Judicial Council. The email must be received prior to the due date and time, or the proposal will not be accepted.

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 résumé 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 two (2) clients for whom the Proposer has conducted similar services to serve as references. The JCC may check references listed by the Proposer.
 - e. Proposed Work Plan based on Section 2.0, including a timeframe for the completion of all proposed tasks, using the general deadlines provided in Section 2.3.
 - f. 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 red-lined 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.

Note: A material exception (addition, deletion, or other modification) to a Minimum Term will render a proposal non-responsive. The JBE, in its sole discretion, will determine what constitutes a material exception.

- g. 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. The Proposer must complete the Payee Data Record Form (**Attachment 6A**) and submit the completed form with its proposal.
 - iv. The Proposer must complete the Bidder Declaration (**Attachment 7**) if the Proposer wishes to claim the DVBE incentive.
 - v. The Proposer must complete the DVBE Declaration (**Attachment 8**) only if the Proposer is a DVBE, or if the Proposer will use DVBE subcontractor(s).
 - vi. 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 Proposal. The following information must be included in the cost proposal.

- a. A detailed line item budget showing total cost of the proposed services.
- b. A full explanation of all budget line items in a narrative entitled “Budget Justification.”
- c. A firm-fixed price for each of the ten (10) Deliverables outlined in Section 2.3 above.

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 JCC 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 JCC 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 JCC will post an intent to award notice at <https://www.courts.ca.gov/rfps.htm>.

CRITERION	MAXIMUM NUMBER OF POINTS
Quality of work plan submitted and Proposer’s understanding of the problem or needs.	20
Experience on similar assignments	25
Reasonableness of cost projections	30
Credentials of staff to be assigned to the project	7
Acceptance of the Terms and Conditions	10

CRITERION	MAXIMUM NUMBER OF POINTS
Ability to meet timing requirements to complete the project	5
Disabled Veterans Business Enterprise Incentive	3

10.0 INTERVIEWS

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

11.0 CONFIDENTIAL OR PROPRIETARY INFORMATION

PROPOSALS ARE SUBJECT TO DISCLOSURE TO THIRD PARTIES AND MEMBERS OF THE PUBLIC PURSUANT TO APPLICABLE LAWS, INCLUDING PUBLIC DISCLOSURE PURSUANT TO RULE 10.500 OF THE CALIFORNIA RULES OF COURT. Except as required by law, the JCC 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 may be disclosed in response to applicable public records requests, or as otherwise required by law. Such disclosure may be made regardless of whether the proposal (or portions thereof) is marked “confidential,” “proprietary,” “copyright ©,” or otherwise, and regardless of any statement in the proposal (a) purporting to limit the JCC’s right to disclose information in the proposal, or (b) requiring the JCC 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. Submission of any proposal pursuant to this RFP constitutes acknowledgment and consent by the Proposer to the potential public disclosure of its proposal content, pursuant to this Section 11.0. **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, 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 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 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.

If using DVBE subcontractors, the Proposer must complete and return to the JBE a copy of the post-contract certification form (<https://www.courts.ca.gov/documents/JBCM-Post-Contract-Certification-Form.docx>), promptly upon completion of the awarded contract, and by no later than the date of submission of Proposer's final invoice to the JBE. If the Proposer fails to do so, the JBE will withhold \$10,000 from the final payment, or withhold the full payment if it is less than \$10,000, until the Proposer submits a complete and accurate post-contract certification form.

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When a Proposer fails to comply with the post-contract certification requirement in this section and a payment withhold is applied to a contract, the JBE shall allow the Proposer to cure the deficiency after written notice. Notwithstanding the foregoing or any other law, if after at least 15 calendar days, but no more than 30 calendar days, from the date of the written notice the Proposer refuses to comply with the certification requirements, the JBE shall permanently deduct \$10,000 from the final payment, or the full payment if less than \$10,000.

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). 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 JCC to receive a solicitation specifications protest is the proposal due date. Protests must be sent to:

Judicial Council of California
Attn: Protest Hearing Officer
RFP# CFCC-2023-03-LP
Branch Accounting and Procurement
455 Golden Gate Avenue, 6th Floor
San Francisco, CA 94102-3688

(Indicate Solicitation Number and Name of Your Firm on lower left corner of envelope.)

END OF RFP