

Request for Proposal

TITLE: IT Equipment Refresh

RFP # RFP-ISD-04172017-AA

The Judicial Council of California seeks to select qualified firms to provide IT goods for the Judicial Council of Ca, Supreme Court and Appellate Courts and shipped to their locations. Proposal to enter into a Master Agreement for IT Goods.

**PROPOSAL DUE DATE: 12:00 PM PACIFIC
TIME ON **MAY 30, 2017****



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ATTACHMENT 1 - Standard Master Agreement

ATTACHMENT 2 - Administrative Rules Governing RFPs

ATTACHMENT 3 - Proposer's Acceptance of Terms and Conditions

ATTACHMENT 4 - General Certifications Form

ATTACHMENT 5 - Darfur Certification Form

ATTACHMENT 6 - Payee Data Record

ATTACHMENT 7 - DVBE Participation Form

ATTACHMENT 8 - Bidder's Declaration

ATTACHMENT 9 – Small Business Declaration

ATTACHMENT 10 – Pricing Sheet Form

ATTACHMENT 11 – Specifications and Quantities for JCC, Supreme Court and Appellate Court Locations with shipping instructions.

1. 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, and includes the superior courts, appellate courts and state supreme court. 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 Judicial Council also adopts rules for court administration, practice and procedure, and performs other functions prescribed by law. The Judicial Council is the staff agency for the council and assists both the council and its chair in performing their duties.
- 1.2 This request for Proposal (“RFP”) is being issued by the Judicial Council on behalf of the Information Technology Department. The mission of the Information Technology is to empower access to justice through technology. From case management to e-filing, from infrastructure support to network security, from business applications and operation to data integration, Information Technology stands at the intersection of strategy and innovation.
- 1.3 For additional information about this solicitation RFP, including questions and inquiries, please follow the time line for the RFP per section **3**.

2. DESCRIPTION OF IT GOODS AND DELIVERABLES

- 2.1. The Judicial Council is requesting proposals from qualified vendors with expertise in providing IT Goods and Services. The prospective vendor must fully address the exact IT Goods specifications for the IT Goods being procured to be considered as a potential bidding vendor, meeting the mandatory specifications for this RFP.
- 2.2. The intention of this RFP is to procure specific IT Goods as a result of this procurement to be shipped to the Judicial Council, Appellate Courts and Supreme Court.
- 2.3. The intention of this RFP is to identify potential vendors responding to this RFP shall indicate that a responding company is qualified to bid and perform this request. Based on the responses to this RFP, the Judicial Council of California plans to select vendor that qualifies to provide specific IT Goods described in this RFP and negotiate a Master Agreement with the selected vendor and create an LPA Leverage Procurement Agreement for the Judicial Council Branch Entity.
- 2.4. The Judicial Council of California expects the duration of the Master Agreement to be one year or may expect to include options for one mutually agreed one year extensions of the Master Agreement.

2.5. The Judicial Council of California does not guarantee the amount of purchase orders given to the vendor that hold the Master Agreement. The Judicial Council and the courts will order specific IT Goods Equipment at their own discretion.

2.6. **Shipping to**

2.6.1. Shipping to all Judicial Council of Ca, Supreme Court and all (6) Appellate Courts, per the Mandatory detailed shipping instructions per court per attachment 11.

3. TIMELINE FOR THIS RFP

Table 1 shows the schedule for this RFP. Judicial Council of California may change the dates at their discretion. Judicial Council of California advises potential proposer's to check the Judicial Council of California website (<http://www.courts.ca.gov/rfps.html>) frequently for changes and updates to the RFP including schedule changes.

4. RFP ATTACHMENTS

Table 2 lists attachments for this RFP. All attachments are included as part of this RFP.

Table 1. RFP Schedule

#	Event	Date
1.	Issuance of the RFP	Thursday 5/16/2017
2.	Deadline for requests for clarifications, modifications or questions regarding the RFP. Email all questions to: Solicitations@jud.ca.gov	Friday 5/19/2017 at 12:00pm PDT
3.	Questions and answers posted (<i>estimate only</i>)	Monday 5/22/2017 at 12:00pm PDT
4.	<u>ADDRESS AND DEADLINE— Hard copy proposals must be delivered to:</u> Judicial Council of California Attn.: Alfonso Acosta RFP-ISD-04172017-AA 455 Golden Gate Avenue, 6th Floor San Francisco, CA 94102	<u>Tuesday 5/30/2017 at 12:00pm PDT</u>
5.	Bid Opening	Wednesday 5/31/2017 at 10:00am
6.	Evaluation of Proposals (<i>estimate only</i>)	Thursday 6/1/2017
7.	Notice of Intent to Award on the Court website: http://www.courts.ca.gov/rfps.htm	Wednesday 6/7/2017
8.	<u>Execution of Purchase Order/Master Agreement (<i>estimate</i>)</u>	Tuesday 6/13/17

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#	Event	Date
	<u>only)</u>	

Table 2. RFP Attachments

#	Attachments	Description
1	Attachment 1: Judicial Council's Standard Terms and Conditions	Standard Master Agreement including Exhibits A through F. If selected, the person or entity submitting a response to the RFP must sign this JCC Standard Form agreement
2	Attachment 2: Administrative Rules Governing RFPs (Non-IT Services)	These rules govern this solicitation.
3	Attachment 3: Proposer's Acceptance of Terms and Conditions	On this form, the Proposer must indicate acceptance of the Master Agreement Terms and Conditions.
4	Attachment 4: General Certifications Form	The Proposer must complete the General Certifications Form and submit the completed form with its proposal.
5	Attachment 5: Darfur Certification Form	The Proposer must complete the Darfur Contracting Act Certification and submit the completed certification with its proposal.
6	Attachment 6: Payee Data Record	This form contains information required in order to process payments and must be submitted with the proposal.
7	Attachment 7: DBVE Participation Form	The Proposer must complete this form and submit it with their proposal. If Proposer wishes to qualify for the DVBE incentive.
8	Attachment 8: Bidder's Declaration	Complete this form only if the Proposer wishes to claim the DVBE incentive associated with this solicitation.
9	Attachment 9: Small Business Declaration	The Proposer must complete this form only if it wishes to claim the small business preference associated with the solicitation.
10	Attachment 10: Price Sheet	The Proposer must fill out the Pricing Sheet
11	Attachment 11; Specifications and Quantities per Shipping Locations	Shipping Locations with specific Details for each Court location.

5. PROPOSAL CONTENT

- 5.1. Cover Letter: Include a cover letter with your proposal. The Cover Letter must include the Proposer's name, address, telephone and fax numbers, and federal tax identification number. The Cover Letter must also include 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. Limit the Cover Letter to one page. If the Proposer is a sole proprietor using his or her social security number, Judicial Council of California will require the social security number to finalize a contract.
- 5.1. Price Proposal: Proposer needs to fill out the Pricing Sheet per the Quantities and descriptions of IT Goods per Attachment 10.
- 5.2. References: Provide contact names, addresses, and telephone numbers for a minimum of four (4) clients for whom the Proposer has conducted similar services. Ensure contact information is up-to-date. Include a brief description of the services provided to the clients. Limit the list to no more than one page. Judicial Council of California may check the references listed by the Proposer.
- 5.3. Acceptance of the Terms and Conditions: On Attachment 3, the Proposer must check the appropriate box and sign the form. If the Proposer marks the second box, the Proposer must provide the required additional materials. An "exception" includes any addition, deletion, or other modification.
 - 5.3.1. 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 that a material exception to a Minimum Term will render a Proposer non-responsive.
- 5.4. Certifications, Attachments, and other Requirements: The Proposer must complete the General Certifications Form (Attachment 4) and submit the completed form with its Proposal.
- 5.5. The Proposer must complete the Darfur Contracting Act Certification (Attachment 5) and submit the completed certification with its Proposal.
- 5.6. The Proposer must complete the Payee Data Record Form (Attachment 6)
- 5.7. If the Proposer is a California corporation, limited liability company ("LLC"), limited partnership ("LP"), or limited liability partnership ("LLP"), the Proposer must submit proof that Contractor is in good standing in California.
- 5.8. Copies of the Proposer's (and any subcontractor's) current business licenses, professional certifications, or other credentials.

6. OFFER PERIOD

A Proposer's Proposal shall be an irrevocable offer for ninety (90) days following the Proposal due date. In the event that the Judicial Council of California has not awarded a final contract within this period and reserves the right to negotiate extensions to this period.

7. SUBMISSION OF PROPOSALS

7.1 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.

7.2 The Proposer must submit its proposal in two parts, the non-cost portion and the cost portion.

7.2.1 The Proposer must submit **one (1) original and one (1) copy** 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, "Technical Proposal", and number RFP on the outside of the sealed envelope.

7.2.2 The Proposer must submit **one (1) original and one (1) copy** 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 "Cost Proposal", and number on the outside of the sealed envelope.

7.3 For additional information about this solicitation RFP, including questions and inquiries, please follow the time line for the RFP per section 3. Contact email: solicitations@jud.ca.gov

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

Attn: Alfonso Acosta, RFP-ISD-04172017-AA
Judicial Council of California
Branch Accounting and Procurement | Administrative Division
455 Golden Gate Avenue 6th. Floor
San Francisco, CA 94102

7.5 Late proposals will not be accepted.

7.6 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 e-mail.

8. PROPOSAL CONTENTS

8.1 **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.

8.1.1 Contact page that includes:

- i. 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.
- ii. 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.

8.2 A completed **Attachment 6**: Payee Data Record Form.

8.3 A completed **Attachment 10**: Pricing Sheet Response Template.

8.4 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.

Note: A material exception to a Minimum Term will render a proposal non-responsive.

9. EVALUATION OF PROPOSALS

Judicial Branch for IT Equipment Refresh staff will evaluate the prospective vendor's submittals using the following criteria and weights listed in Table 4. 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.

Table 4. Criteria for Evaluation of Proposals

	Criterion	Potential Points
	Total Cost of IT Goods	50
	Mandatory Shipping to Court Locations with Shipping Details	25
	Small Business incentive to qualified proposers	5
	Accept our Terms and Conditions	12
	("DVBE") Incentive Disabled Veterans Business Enterprise incentive is available to qualified proposers.	3
	References from present or past clients for similar projects	5
	Total Score	100

10. 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. Judicial Council of California will not disclose social security numbers, and Judicial Council of California will not disclose balance sheets or income statements submitted by a Proposer that is not a publicly-traded corporation. In response to applicable public records requests, Judicial Council of California will disclose all other information in Proposals. Such disclosure will be made regardless of whether the Proposal (or portions thereof) is marked "confidential" or "proprietary" or otherwise and regardless of any statement in the Proposal (a) purporting to limit Judicial Council of California's right to disclose information in the Proposal or (b) requiring Judicial Council of California to inform or obtain the consent of the Proposer prior to the disclosure of all or portions of the Proposal. Judicial Council of California cautions Proposers not to include confidential, proprietary, or privileged information in Proposals.

11. DISABLED VETERAN BUSINESS ENTERPRISE INCENTIVE

- 11.1. Qualification for the DVBE incentive is not mandatory. Failure to qualify for the DVBE incentive will not render a proposal non-responsive.
- 11.2. Eligibility for and application of the DVBE incentive is governed by the Judicial Council's DVBE Rules and Procedures. Proposer will receive a DVBE incentive if, in the Judicial Council's sole determination, Proposer has met all applicable requirements. If Proposer receives the DVBE incentive, a number of points will be added to the score assigned to Proposer's proposal. The number of points that will be added is specified in Section 9 Table 4 above.

- 11.3. 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”).
- 11.4. If Proposer wishes to seek the DVBE incentive:
 - 11.4.1. Proposer must submit with its proposal a DVBE Declaration (Attachment 7) 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..
 - 11.4.2. Proposer must complete and submit with its proposal the Bidder’s Declaration (Attachment 8). Proposer must submit with the Bidder Declaration all materials required in the Bidder Declaration.
 - 11.4.3. 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.
 - 11.4.4. 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.

12. Small Business Preference

- 12.1 Small business participation is not mandatory. Failure to qualify for the small business preference will not render a proposal non-responsive.
- 12.2 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.

- 12.3 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.
- 12.4 If the Proposer wishes to seek the small business preference, the Proposer must complete and submit with its proposal the Small Business Declaration **(Attachment 9)**. The Proposer must submit with the Small Business Declaration all materials required in the Small Business Declaration.
- 12.5 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.
- 12.6 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.

13. PROTESTS

The Judicial Council will respond to any protests 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 Judicial Council to receive a solicitation specifications protest is the Proposal due date.

Protests must be sent to:

Judicial Council of California – Branch Accounting and Procurement
Attn: Protest Officer
455 Golden Gate Avenue, 6th Floor
San Francisco, CA 94102

(Indicate RFP-ISD-04172017-AA and Name of Your Firm on lower left corner of envelope.)