

RFP Title: Digital Evidence
RFP Number: SC 1901.2024.2.JG

REQUEST FOR PROPOSALS

**SUPERIOR COURT OF CALIFORNIA, COUNTY OF
ALAMEDA**

**REGARDING:
DIGITAL EVIDENCE
SC 1901.2024.2.JG**

PROPOSALS DUE:
Tuesday, March 12, 2024 NO LATER THAN **2:00 P.M** PACIFIC TIME

RFP Title: **Digital Evidence**
RFP Number: **SC 1901.2024.2.JG**

KEY INFORMATION SUMMARY SHEET

Request for Proposal	IT – Superior Court of California, County of Alameda – Digital Evidence
RFP Number:	SC 1901.2024.2.JG
RFP Issue Date:	Tuesday, February 15, 2024
RFP Issuing Office:	Office of Information Technology
Procurement Contact:	Superior Court of California, County of Alameda Finance and Facilities Division Attention: Procurement – Eddie Sanchez RFP SC 1901.2024.2.JG 1225 Fallon Street, Room 210 Oakland, CA 94612
e-mail:	bidquestions@alameda.courts.ca.gov
Proposals are to be sent to:	bidquestions@alameda.courts.ca.gov
Timeline for this RFP	
Pre-Proposal Conference:	Tuesday, February 27, 2024 @ 2pm Location: Zoom Meeting - https://alameda-courts-ca-gov.zoomgov.com/j/1613733022?pwd=VTR5QzcyS0tRbzRtSXJMdS9BNDZkdz09
Questions and Answers Posted (estimate only):	Thursday, March 7, 2024
Proposal Due (Closing) Date and Time:	Tuesday, March 12, 2024 @ 2pm
Evaluation of Proposals (estimate only):	Tuesday, March 19, 2024 – Tuesday, April 9, 2024
Interview and Demonstration Dates (estimate only):	Monday, March 25, 2024 10:00AM – 12:00PM Thursday, March 28, 2024 10:00AM – 12:00PM Friday, March 29, 2024 10:00AM – 12:00PM

Public Opening of Cost Portion of Proposals:	Wednesday, April 10, 2024 10:00AM – 11:00AM Location: https://alameda-courts-ca-gov.zoomgov.com/j/1607495402?pwd=NzdWbHpYeEZBNgh2Z2s0RUF1RTlkdz09
Notice of Intent to Award (estimate only):	Wednesday, April 10, 2024
Negotiations and Execution of Contract (estimate only):	April 10, 2024 – April 30, 2024
Contract start date:	May 1, 2024
Contract End date:	April 30, 2026 With Options to extend until April 30, 2030. First Option Term: May 1, 2026 – April 30, 2028 Second Option Term: May 1, 2028 – April 30, 2030
RFP Attachments	
Attachment 1: Administrative Rules Governing RFPs (IT Goods and Services)	These rules govern this solicitation.
Attachment 2: Terms and Conditions	On this form, if exceptions are identified, Prospective Bidders must submit (i) a redlined version of Attachment 2 – Agreement Terms and Conditions and Supplemental Terms and Conditions that clearly track proposed changes to this attachment, (ii) written documentation to substantiate each such proposed change and (iii) written explanation to indicate how each proposed change will benefit the Court. If selected, the person or entity submitting a proposal (the “Prospective Bidder”) must sign Acceptance of Terms and Conditions form (Attachment 3): this Court Standard Form agreement (the “Terms and Conditions”).
Attachment 3: Prospective Bidder’s	On this form, the Prospective Bidder must indicate acceptance of the Terms and Conditions or identify exceptions to the Terms and Conditions. If selected, the person or entity submitting a proposal must sign the form.

Acceptance of Terms and Conditions	<p>If exceptions are identified, the Prospective Bidder must also submit (i) a red-lined version of the Standard Terms and Conditions that implements all proposed changes, and (ii) a written explanation or rationale for each exception and/or proposed change.</p> <p>Note: A material exception may render a proposal non-responsive.</p>
Attachment 4: General Certifications Form	The Prospective Bidder must complete the General Certifications Form and submit the completed form with its proposal.
Attachment 5: Darfur Contracting Act Certification	The Prospective Bidder 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 Court requires in order to process payments and must be submitted with the proposal.
Attachment 7: Small Business Declaration	The Prospective Bidder must complete this form only if it wishes to claim the small business preference associated with this solicitation.
Attachment 8: Unruh and FEHA Certification	<p>The Prospective Bidder must complete the Unruh Civil Rights Act and California Fair Employment and Housing Act Certification.</p> <p><i>Only for solicitations of \$100,000 or more</i></p>
Attachment 9: Iran Contracting Act Certification	<p>The Prospective Bidder must complete the Iran Contracting Act Certification and submit the completed certification with its proposal.</p> <p><i>Only for solicitations of \$1,000,000 or more</i></p>
Attachment 10: Bidder Declaration	The Contractor must complete this form only if it wishes to claim the disabled veteran business enterprise (DVBE) incentive associated with this solicitation.
Attachment 11: DVBE Declaration	Each DVBE that will provide goods and/or services in connection with the contract must complete this form. If Contractor is itself a DVBE, it must also complete and sign the DVBE Declaration.
Attachment 12: Question	Prospective Bidder must use the attached form to submit any questions.

and Answer Form	
Attachment 13: Reference Check Form	Prospective Bidder must complete the Reference Check Form and submit with proposal.
Attachment 14: Contact Sheet	Prospective Bidder must complete the Contact Sheet and submit with the proposal.
Attachment 15: Technical Proposal Template	Prospective Bidder must their proposal using the Technical Proposal Template.
Attachment 16 Cost Proposal Template	Prospective Bidder must complete the Cost Proposal Template and submit with the proposal.
Attachment 17: Check List	RFP Checklist.
Attachment 18: General Exhibit Workflow Flowchart	This is a separate attachment.
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1.0 BACKGROUND INFORMATION

- 1.1 The Superior Court of California, County of Alameda intends to procure a digital evidence solution that satisfies the access and security, functionality, system data exchange and storage, and customer support needs for the functional areas specified in this solicitation. The functional areas include Small Claims, Civil, Family Law, Juvenile, Probate, Records & Exhibits, and Criminal/Traffic case types. The Court will perform a Proof of Concept using the Small Claims case type and then roll the solution out to other case type(s) in phases. The general requirements discussed in Section 2.0, Description of Goods and/or Services apply to all functional areas.

2.0 DESCRIPTION OF GOODS AND/OR SERVICES AND TECHNICAL REQUIREMENTS

2.1 Access and Security

A. User-Administrator Access:

- i. User-administrators can set roles and permissions (e.g., access to view, edit, and ability to delegate access, etc.) specific to certain users.
- ii. The solution should include easily managed administrator definable multilevel security for access to files, information, and evidence-based roles in workflow.
- iii. The solution should provide security methods for creating folders and strictly limiting access for authorized users to certain folders or data within a folder based on folder-level or individual file-level permissions.
- iv. The user-administrator can customize data entry fields and configure main dashboard.
- v. The user-administrator access must include Authorized User Access below.

B. Authorized User Access:

- i. Must accommodate no less than **200** Court users at initial implementation, with the option to increase to more than 500 Court users in the future, all without performance loss, including without limitations:
 - (a) Civil Courtroom Clerks: **18**
 - (b) Civil Legal Processing Assistants: **51**

- (c) Civil Supervisory/Admin Staff: **14**
 - (d) Family Law Courtroom Clerks: **24**
 - (e) Family Law Legal Processing Assistants: **48**
 - (f) Family Law Supervisory/Admin Staff: **15**
 - (g) Probate Courtroom Clerks: **2**
 - (h) Probate Legal Processing Assistants: **6**
 - (i) Records & Exhibits Custodians: **6**
- ii. Scalable and flexible to allow for increasing the number of users with different permissions as authorized by user-administrators.
 - iii. Judges and Clerks. For Juries, have ability to lock an exhibit or provide view-only access to a user. This includes the ability to select specific evidence and move it to allow a profile/user to only view selected evidence without the ability to modify any aspect of the evidence.
 - iv. The system must provide the ability to set an expiration date on access to externally shared case files.
 - v. The system must have the option of a web browser – based viewer that allows authorized users to view and/or retrieve digital evidence via the web. This must be secure and encrypted according to CJIS standards, and with an appropriate audit trail.

C. Public Users:

- i. Must accommodate no less than **78,000** public users at initial implementation, with the option to increase to more than 200,000 public users in the future, all without performance loss. The initial implementation of no less than 78,000 public users is based on the Court's estimate of at least two parties per case for the cases in 2023 as more fully described in Section 2.2 below.

D. Security

- i. The database must be encrypted and all transmissions to and from the database must be encrypted.
- ii. The solution must allow all electronic evidence to be exported in an encrypted format for secure transmission.
- iii. All client data must be stored in a safe and secure environment and protected from unauthorized access, modification, theft, misuse, or damage whether the data resides in a repository or during transmission over the network and must be stored in the United States.

- iv. Virus/Malware check uploaded documents.
- v. Single Sign-On for Court user-administrators and authorized users.
- vi. The solution must have an audit trail that cannot be altered. The audit trail shall include tracking all persons (using login and password) who accessed the system/file and the actions performed (upload, print, view, etc.). All audit trail items, including any document submitted as evidence, must be time stamped with a system – generated time stamp provided as part of the solution.
- vii. The solution must use a Secure Hash so the Court will know whether evidence originals have been modified.
- viii. The solution system is to be maintained using a minimum of 99% uptime and security including parallel, redundant, and multi-tiered network architecture.
- ix. The solution must be able to ensure rapid recovery and seamless uptime in case of hardware malfunction.
- x. The solution and services must meet or exceed Criminal Justice Information Services (CJIS) and security requirements.

2.2 Functionality

A. Public Needs:

- i. Evidence, regardless of format, whether printed/handwritten, photograph, video, audio recording, etc., can be uploaded.
- ii. Ability to upload regardless of the file size.
- iii. Allows for uploading from multiple devices, including without limitation, SD cards, hard drives, optical disks, thumb drives, etc.
- iv. When uploading from any device, allows files to be selected for upload with previews using a simple import process/wizard.
- v. Drag-drop functionality for uploading multiple files (e.g. if Plaintiff has 150 exhibits to upload, can batch upload them through a drag/drop interface).
- vi. Filename validation.

- vii. Auto-numbering with unique identification for common reference.
- viii. Ability to e-serve/electronically notify parties of uploaded documents.
- ix. Uses an application to allow secure external access for viewing and downloading of evidentiary data on computers (Mac and PC) and mobile devices including smart phones and tablets (Android, Bada, IOS, Blackberry OS, and Windows OS).
- x. Has a full screen viewing mode where multiple photos can be viewed easily from photo to photo or an entire PDF with scroll bars can be viewed with a window frame.
- xi. Can magnify any portion of a document or photo viewed.
- xii. Offers multiple print options, including but not limited to, printed output must offer options to print at the user's option, documentation of the digital photo including title, notes, photographer's name, enhancement parameters, case number, authentication result, import time, camera clock time, photo resolution, flexible automatic sizing features, and autorotation.

B. Court needs:

- i. The Court's needs include the Public Needs above in addition to those listed in this subsection.
- ii. Allows Court to specify upload filetype or that any file type may be uploaded, whether doc/docx, rtf, wpd, xls/xlsx, ppt/pptx, pdf, mp4, mov, m4a, m4v, mpg, avi, mp3, flv, ogg, wav, jpg, gif, png.
- iii. Requires upload by case number, case name, and party name.
- iv. Documents, typed or handwritten, are automatically OCR read upon upload.
- v. Metadata, including identification of uploader/date/time uploaded.
- vi. Retains uploaders email for use in exchanging exhibits.
- vii. Ability to send email alerts of new uploads or deletions.
- viii. Ability to email links, whether to the main landing page or to specific evidence, with expiration dates for the links.

- ix. The solution must be able to support RAW format files without converting the RAW files into another format.
- x. Integrated preview/document viewer for common filetypes (e.g. doc/docx, rtf, wpd, xls/xlsx, ppt/pptx, pdf, mp4, mov, m4a, m4v, mpg, avi, mp3, flv, ogg, wav, jpg, gif, png).
- xi. Has ability to acquire, process, authenticate, store, and playback digital images, digital audio, and digital video in common formats defined as JPG, BMP, GIF, TIFF, MP3, MP4, WAV, DOC, and PDF.
- xii. Evidentiary video files shall be stored with the associated players when applicable.
- xiii. Ability to restrict viewing of evidence before it is admitted, reject, or admit evidence submitted to the Court, and to delete rejected evidence.
- xiv. Allows authorized users to seal and set deletion/retention parameters by case type and date, send alerts or flag evidence (admitted or denied) that is ready for deletion, and delete entire case with all evidence contents.
- xv. Ability to create digital evidence case jackets.
- xvi. Ability to edit exhibits/files if incorrect.
- xvii. Ability to segregate exhibits by case and party.
- xviii. Ability to reorder and categorize documents uploaded into a case (for example into customized folders).
- xix. Has the built-in exhibit stamp functionality (so that documents can be marked electronically).
- xx. Ability to reassign entire cases with all evidence included and send email alerts/notifications of reassignment.
- xxi. Ability to set exhibit status or case status (e.g. On Appeal, Case Closed, In Inventory, Returned, etc.).
- xxii. Allows multiple concurrent users to submit, receive, and update data, and view the same digital evidence simultaneously.
- xxiii. Ability to present, display, and share uploaded evidence from database without having to first export.

- xxiv. Ability to share video with audio in a Zoom, MS Teams, Rocket Broadcaster or WebEx meeting using screen share.
- xxv. Must maintain/store original copy of evidentiary files but have the ability for authorized users to make a working copy for internal annotations/bookmarks/notes on exhibits, especially when a party submits multiple exhibits in a single file (both viewable to the court only, or to all parties).
- xxvi. Ability to create exhibit tags with different colors to differentiate between the Court, parties, exhibits, etc. for case specific evidence.
- xxvii. Ability to redact information and images on documents and videos submitted as evidence.
- xxviii. Ability to highlight and add key words, titles, notes, and bookmarks to digital evidence and to later index, search, and edit them.
- xxix. Ability to search digital files by using tagged metadata fields.
- xxx. Ability to export the entire contents of a case file, regardless of file type.
- xxxi. Ability to export selected exhibits or segregate them into a packet for download (e.g. make available to copy of all marked exhibits to counsel).
- xxxii. Allows the Court to acquire raw data through an export to Microsoft Excel (XLS/XLSX) or ASCII comma separated values (CSV) file formats at any time.
- xxxiii. Provides chain of custody reports.
- xxxiv. Judges and Clerks can easily view/examine selected evidence (regardless of format, whether printed/handwritten, photograph, video, audio recording, etc.) in a separate window/screen that easily allows for the full display of the evidence on a screen.
- xxxv. Judges and Clerks can perform customized searches – can search and filter for select data elements (any data field or combo of fields), such as ability to easily locate exhibits in the system by various criteria, numerical or alphabetical order, party, exhibit status, status on a case (e.g., On Appeal, Case Closed, In Inventory, Returned, etc.), exhibit name, key word, etc.

- xxxvi. Judges and Clerks can create customized system generated reports or use uploaded document/report templates.
- xxxvii. Judges and Clerks can customize appearance/format of exhibit list.
- xxxviii. Judges and Clerks can print or save and export search results in PDF.

C. Dashboard

- i. Displays a main dashboard that shows alerts, notifications, and calendar view.
- ii. Displays a dashboard per case that authorized users can configure using filters to view specific data elements within user specified date ranges.
 - a) Results are shown graphically on the dashboard.
 - b) Different case dashboards can be created for the same case based upon the role of the authorized user.
 - c) Different case dashboards can be viewed separately by different authorized users.

2.3 System Data Exchange and Storage

- A. The solution must support migration/integration to/from multiple data exchanges, including third parties, as more fully described by functional area below:
 - i. Odyssey (Criminal and Juvenile)
 - ii. eCourt (Civil, Small Claims, Family Law, Probate/Conservatorship)
 - iii. Traffic
 - iv. Justice Partner Public Agencies
- B. All data must update automatically in real-time so that any searches do not need to be re-run.
- C. All data must tie to all case information, including closed cases.
- D. SATA storage must be encrypted and secured, and the storage and related management services should align with CJIS requirements.
- E. Additionally, corresponding metadata should be provided using industry standard formats. Logical folder structure for data portability should be provided and defined as applicable.

- F. The solution needs to provide the Court the option to transfer from one storage type to another. Both storage types when used with the solution application must provide the Court control of the retention, storage, and disposal of records and exhibits.
- G. SaaS solution that has storage for at least the following case types in 2023:
 - i. Small Claims Trials:
 - ii. Civil and Probate Court Trials:
 - iii. Civil and Probate Jury Trials:
 - iv. Civil Unlawful Detainer Court Trials:
 - v. Civil Unlawful Detainer Jury Trials:
 - vi. Civil Harassment OSC-Trials:
 - vii. Family Evidentiary Hearings:
- H. Has separate database instances for different case types.
- I. Optional Features: The solution should have the capability to support use by multiple justice partner public agencies and integration with their digital evidence management third party providers. Justice partner public agencies can include, without limitations:
 - i. Alameda County Office of the District Attorney
 - ii. Alameda County Probation Case Management System
 - iii. Alameda County Public Defender
 - iv. Alameda County Sheriff Jail Management System
 - v. Other public agencies

2.4 Customer Support

- A. Support shall include technical assistance on the installation, use, performance tuning, maintenance, and repair of the software/hardware necessary to meet the requirements of this RFP and/or contract.
- B. Provide administrator level and end-user training.

- C. Provide customer service support 24 hours per day, 7 days per week.

3.0 PAYMENT INFORMATION

3.1 Invoicing

- A. Contractor shall submit invoices to the Court in arrears no more frequently than monthly.
- B. Contractor shall provide invoices with the level of detail and supporting documentation reasonably requested by the Court. The following information must be included on the invoice:
 - i. Contractor's name, address, and telephone number.
 - ii. Name, title, email address, telephone number, and physical address of representative to whom payments are to be sent, if different from the above.
 - iii. Name, title, email address, and telephone number of the person to contact in case of an incomplete or incorrect invoice.
 - iv. Description of goods and/or services performed.
 - v. PO number.
- C. Invoices must be submitted to the Court's Accounts Payable Unit at accountspayable@alameda.courts.ca.gov, with a copy to the Project Manager's email.

3.2 Payments

- A. The Court will process invoices within forty-five (45) days of receipt and approval by the Court's Project Manager. All invoices must reference the Contractor's purchase order number which will be provided by the Court.
- B. Payments to Contractor are contingent upon the timely and satisfactory performance of Contractor's obligations under the contract.
- C. Payment terms will be specified in the contract document that will be executed as a result of an award made under this RFP, however, prospective

Contractors are hereby advised that the Court payments are made by the State of California, and the State does not make any advance payment for services.

- D. Payment will be made based upon completion of tasks as provided for in the agreement between the Court and the selected Service Provider.

3.3 Expenses

- A. The Court will not pay or reimburse the Contractor, or their employees, for travel, or any other related, expenses that are required as part of the Scope of Work.
- B. Contractor shall bear, and the Court shall have no obligation to pay or reimburse Contractor for, any and all other fees, costs, profits, taxes, or expenses of any nature which Contractor incurs.

3.4 Additional Services and Change Orders

- A. During the term of the agreement resulting from this solicitation the Court will reserve the right to require Contractor to make changes in the Work, as set forth in the applicable Statement of Work (Section 2.0), which may include additions, deletions, or modifications to the Work, or changes in the time or level of effort for the Work.
- B. For any change proposed by the Court or Contractor, Contractor will submit in writing:
 - i. a description of the proposed change and the reasons for the change.
 - ii. a summary of the total compensation to be paid Contractor with a breakdown of tasks and costs including any reduction in work or costs resulting from the change; and
 - iii. a statement of the expected impact on schedule.
- C. If the Court and Contractor agree on a change, the Court will issue an Amendment documenting the change, for the parties' execution.
- D. If the parties cannot agree to the terms of a change, Contractor will proceed diligently with Work unless otherwise directed by the Court, and any continuing disagreement will follow the process set forth in the provisions entitled "Dispute Resolution" of the contract resulting from this solicitation. Contractor should not proceed with any change prior to receiving a written directive or Amendment from the Court. All costs for changes performed by Contractor without the Court's prior written approval will be at Contractor's sole risk and expense.

4.0 PRE-PROPOSAL CONFERENCE

- 4.1 The Court will hold a pre-proposal conference on the date identified in the timeline above.
- 4.2 Attendance at the pre-proposal conference is optional. Prospective Bidders are strongly encouraged to attend.

5.0 SUBMISSIONS OF PROPOSALS

- 5.1 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.
- 5.2 The Prospective Bidder must submit its proposal in two parts, the Technical Proposal and the Cost Proposal Pricing Form by the date and time listed on the coversheet of this RFP.
 - A. The proposals must be emailed to bidquestions@alameda.courts.ca.gov. The subject line of the email must include the RFP title and number.
 - B. The proposal must be signed by an authorized representative of the Prospective Bidder.
- 5.3 Late proposals will not be accepted.
- 5.4 Questions. Interested parties may submit a request for clarification, modifications, or questions to the Court using the Question and Answer Form, provided in Attachment 12, Question and Answer Form. Requests shall be submitted via email to bidquestions@alameda.courts.ca.gov no later than the date specified in the RFP timeline. Please indicate the RFP number and title in the subject line of the email. Contact with the Court shall be made only through the email address.
- 5.5 The Court will not accept telephone calls related to the RFP. All communications must be made with the Question and Answer Submission Form Attachment 12.

6.0 QUESTIONS

- 6.1 Interested parties may submit a request for clarifications, modifications, or questions to the Court using the Question and Answer Form, provided in Attachment 12. Requests shall be submitted via email to bidquestions@alameda.courts.ca.gov no later than the date specified in the RFP timeline. Please indicate the RFP number and title in the subject line of the email. Contact with the Court shall be made only through the email address. Answers will be posted on the Court's website: <https://www.alameda.courts.ca.gov/general-information/contract-opportunities>
- 6.2 The Court will not accept telephone calls related to the RFP. All communications must be made with the Question and Answer Form.

7.0 PROPOSAL CONTENTS

- 7.1 Technical Proposal. The following information must be included in the Technical Proposal (Attachment 15). A Proposal lacking any of the following information may be deemed non-responsive.
- A. The Prospective Bidder's name, address, telephone and fax numbers, and federal tax identification number.
- Note: If Prospective Bidder is a sole proprietor using his/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 Prospective Bidder's designated representative for purposes of this RFP.
- C. The Prospective Bidder will provide a detailed response to each item in the technical proposal questionnaire. Any incomplete technical proposal lacking detailed response to any of the items may be deemed non-responsive. If the space provided is not enough, the Prospective Bidder may attach a separate sheet with his/her response.

D. Acceptance of the Terms and Conditions.

- i. On Attachment 3, the Prospective Bidder must check the appropriate box and sign the form. If the Prospective Bidder 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 Prospective Bidder **must** also submit (i) a red-lined version of the Terms and Conditions (Attachment 2) 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. The Court, in its sole discretion, will determine what constitutes a material exception.**

E. Certifications, Attachments, and other requirements.

- i. The Prospective Bidder must complete the General Certifications Form (Attachment 4) and submit the completed form with its proposal.
- ii. The Prospective Bidder 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 Prospective Bidder’s (and any subcontractors’) current business licenses, professional certifications, or other credentials.
- v. The Prospective Bidder must complete the Payee Data Record Form (Attachment 6) and submit the completed form with its proposal.

Note: The Court reserves the right to request Prospective Bidder’s proof of financial solvency. The Court may request this information at any time during the solicitation process.

- vi. The Prospective Bidder must complete the Iran Contracting Act Certification (Attachment 9) and submit the completed certification with its proposal.
- vii. The Prospective Bidder must complete the Unruh Civil Rights Act (UNRUH) and California Fair Employment and Housing Act (FEHA) Certification (Attachment 8) and submit the completed certification with its proposal.
- viii. The Prospective Bidder must complete the Reference Check Form (Attachment 13) and submit the completed form with its proposal.
- ix. The Prospective Bidder must complete the Contact Sheet (Attachment 14) and submit the completed form with its proposal.

7.2 Cost Proposal. The following information must be included in the cost proposal (Attachment 16). A proposal lacking any of the following information may be deemed non-responsive.

A. IT Goods:

- i. The cost per unit for the goods described in the Technical information.
- ii. Shipping and Delivery charges for goods described in Technical information.

B. IT Services: Prospective Bidder must complete Attachment 16, Cost Proposal Template, and submit with the Cost Proposal.

C. Pricing and Price Adjustments

- i. Contractor must submit pricing in the form and format as specified in this RFP (Attachment 16).
- ii. The Court will pay for any applicable State of California or local sales or use taxes on the products provided or the services rendered. Taxes shall be included as a separate line item on a Contractor's invoice.
- iii. The Contractor's cost proposal must describe how future price increases will be minimized and capped and how both increases and decreases will be passed on to the Court if the contract is renewed after the initial term. The Contractor must explain the proposed process to implement price changes, and how the Court will be notified.

- iv. It is unlawful for any person engaged in business with 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 Prospective Bidder'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 Court reserves the right to negotiate extensions to this period.

9.0 EVALUATION OF PROPOSALS

The Cost proposals will be publicly opened at the date and time noted in the RFP Timeline. At the time proposals are opened, each proposal will be checked for the presence or absence of the required proposal contents. The Court will not make an award to a bidder with a technical score less than 75% of the overall technical score.

- 9.1 Evaluation Committee. The Court will conduct a comprehensive and impartial evaluation of proposals received in response to this RFP. All proposals received from Contractors will be reviewed and evaluated by a committee of qualified personnel (“Evaluation Committee”). The name, units, or experience of the individual members will not be made available to any Contractor.
- 9.2 Evaluation of Cost Proposals. Cost sheets, cost proposals, and/or submitted quotes, may be reviewed only if a proposal is determined to be otherwise qualified. Where more than one-line item is specified in the solicitation, the Court reserves the right to determine the highest evaluated Contractor, either on the basis of individual items, combination of items as specified in the solicitations, or on the basis of all items included in the solicitation, unless otherwise expressly provided.
- 9.3 Requests for Additional Information. The Court reserves the right to seek clarification from any Contractor throughout the solicitation process. The Court may require a Contractor’s representative to answer questions throughout the evaluation process with regard to the Contractor’s proposal. Failure of a Contractor to demonstrate that the claims made in its proposal are in fact true may be sufficient cause for deeming a proposal non-responsive.
- 9.4 Minimum Qualifications. To be considered for full evaluation and possible reward, Contractors must meet the threshold minimum qualification requirements listed in the following table (minimum requirements can be met by combining experience, expertise, and resources of Contractor and any proposed Subcontractors).

No.	Minimum Qualification
1	Five (5) or more years of experience providing quotes for government entities, public sector clients. Such services to be the same or substantially similar to those described in description of Goods and/or Services (Scope of Work). Contractor's proposal shall include the contact information, contract value, duration and time frame and must identify the agency if a government entity.
2	Contractor shall not be currently under suspension or debarment by any state or federal government agency and Contractor shall not be tax delinquent with the State of California or Federal Government (reference Additional Document, "Bidder/Prospective Bidder Submissions Forms & Certifications").
3	Contractor must hold any/all required licenses and permits to conduct business in the State of California, County of Alameda and, if a corporation, must be in good standing within the State of California.
4	Contractor must meet insurance requirements or show proof of ability to meet the requirements of such coverage, as set forth in Attachment 2, IT Agreement.
5	Contractor shall certify that is has no interest that would constitute a conflict of interest under California Public Contract Code sections 10365.5, 10410 or 10411; Government Code sections 1090 et seq. or 87100 et seq.; or rule 10.103 or rule 10.104 of the California Rules of Court, which restrict employees and former employees from contracting with judicial branch entities. (Reference Additional Document, "Bidder/Prospective Bidder Submission Forms & Certifications").
6	Pursuant to Public Contract Code (PCC) section 2204, and Iran Contract Act certification is required for solicitations of goods or services of \$1,000,000 or more. Contractor must complete the Iran Contracting Act Certification and submit the completed certification with its proposal as applicable. (Reference Additional Document, "Iran Contracting Act Certification Form").
7	Pursuant to Public Contract Code (PCC) section 2010, an Unruh Civil Rights Act certification is required for solicitations of goods or services of \$100,000 or more. Contractor must complete the Unruh Civil Rights Act Certification and submit the completed certification with its proposal as applicable. (Reference Additional Document, "Unruh Civil Rights Act Certification Form").

The Contractor must specifically state in its Executive Summary how it meets/complies with or will meet/comply with each minimum qualification specified above. Subject to the Court's right in its complete discretion to waive minor deviations or defects, only those proposals that meet all of the foregoing minimum qualifications may be considered for a full evaluation and a possible contract award.

- 9.5 **Evaluation Criteria.** The Court 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 Court will post an intent to award notice at <http://www.alameda.courts.ca.gov/Pages.aspx/Contract-Opportunities>. Although some factors may be weighted more than others, all are considered necessary, and a proposal must be technically acceptable in each area to be eligible for award. With regard to cost, the Court reserves the right, in its sole discretion, to reject any proposal whose price is outside the competitive range.

CRITERION	MAXIMUM NUMBER OF POINTS
Cost/Pricing factors. Cost/Price must be inclusive. At no time after submission of its proposal will Contractor increases be considered for any reason.	40
Technical Proposal. Contractor will be rated on the quality of the Work Plan and Methodology submitted in the Proposal, including Contractor's commitment to high quality customer service, and Contractor's ability to meet the service level requirements and ability to meet the Technical Requirements for each item outlined in the Technical Qualifications (Attachment 19).	40
Experience on Similar Assignments and Financial Qualifications	10
Acceptance of Terms and Conditions. Contractor will be rated on its acceptance of the Court's Terms and Conditions provided in Attachment 2. <u>Note.</u> If Contractor does not take exception to any specific term, provision, or condition, Contractor shall be deemed to have accepted Attachment 2, Terms and Conditions, "as is."	10
Total Points (Not including DVBE Incentive)	100
DVBE Incentive. Contractor's that qualify for the DVBE incentive will receive the additional DVBE Incentive points.	5

10.0 INTERVIEWS

The Court may conduct interviews with Prospective Bidders to clarify aspects set for in their proposals or to assist in finalizing the ranking of top-ranked proposals. The interview process may require a demonstration. The interview may also require a demonstration of equivalence if a brand name is included in the specifications. The interviews will be conducted over Zoom. The Court will notify eligible Prospective Bidders 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 Court will not disclose (i) social security numbers, or (ii) balance sheets or income statements submitted by a Prospective Bidder 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 Court’s right to disclose information in the proposal, or (b) requiring the Court to inform or obtain the consent of the Prospective Bidder 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 Prospective Bidder to the potential public disclosure of its proposal content, as set forth in this Section 12. **Prospective Bidders 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 an application of the DVBE incentive is governed by the Court’s DVBE Rules and Procedures. Prospective Bidder will receive a DVBE incentive if, in the Court’s sole determination, Prospective Bidder has met all applicable requirements. If a Prospective Bidder receives the DVBE incentive, a number of points will be added to the score assigned to Prospective Bidder’s proposal. The number of points that will be added is specified in Section 9.5 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 solicitation of

non-IT goods and IT goods and services, Prospective Bidder may have an approved Business Utilization Plan (“BUP”) on file with the California Department of General Services (“DGS”).

If Prospective bidder wishes to seek the DVBE incentive:

- A. Prospective Bidder must complete and submit with its proposal the Bidder Declaration (Attachment 10). Prospective Bidder must submit with the Bidder Declaration all materials required in the Bidder Declaration.
- B. Prospective Bidder must submit with its proposal a DVBE Declaration (Attachment 11) completed and signed by each DVBE that will provide goods and/or services in connection with the contract. If Prospective Bidder is itself a DVBE, it must complete and sign the DVBE Declaration. If Prospective Bidder will use DVBE subcontractors, each DVBE subcontractor must complete and sign a DVBE Declaration. NOTE: The DVBE Declaration is not required if Prospective Bidder 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 Prospective Bidder not receiving the DVBE incentive. In addition, the Court may request additional written clarifying information. Failure to provide this information as requested will result in Prospective Bidder 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 Court’s Small Business Preference Procedures for the Procurement of Information Technology Goods and Services.

If Prospective Bidder receives the DVBE incentive: (i) Prospective Bidder will be Required to complete a post-contract DVBE certification if DVBE subcontractors are used; (ii) Prospective Bidder must use any DVBE subcontractor(s) identified in its proposal unless the Court 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 MISREPRESENTATION 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 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 Court's Small Business Preference Procedures for the Procurement of Information Technology Goods and Services. The Prospective Bidder will receive a small business preference if, in the Court's sole determination, the Prospective Bidder has met all applicable requirements. If the Prospective Bidder 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 Prospective Bidder 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 Prospective Bidder wishes to seek the small business preference, the Prospective Bidder must complete and submit with its proposal the Small Business Declaration (Attachment 7). The Prospective Bidder 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 Prospective Bidder not receiving the small business preference. In addition, the Court may request additional written clarifying information. Failure to provide this information as requested will result in the Prospective Bidder not receiving the small business preference.

If the Prospective Bidder receives the small business preference, (i) the Prospective Bidder 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 MISREPRETATION IN CONNECTION WITH THE
SMALL BUSINESS PREFERENCE IS UNLAWFUL AND IS PUNISHABLE BY
CIVIL PENALTIES. SEE GOVERNMENT CODE SECTION 14842.5.**

14.0 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 Prospective Bidder 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 Court to receive a solicitation specifications protest is the proposal due date. Protests must be sent to the Court address listed below via certified mail including signature required upon delivery. Personal and hand delivery of Protests will not be accepted.

Superior Court of California, County of Alameda
Finance and Facilities Division
Attention: Eddie Sanchez
RFP SC 1901.2024.2.JG
1225 Fallon Street, Room 210
Oakland, CA 94612

The deadline to submit an Award Protest is five (5) business days after the Court posts the Intent to Award. Protests must be sent to the Court address listed below via certified mail including signature required upon delivery. Personal and hand delivery of Award Protests will not be accepted.

Superior Court of California, County of Alameda
Finance and Facilities Division
Attention: Eddie Sanchez
RFP SC 1901.2024.2.JG
1225 Fallon Street, Room 210
Oakland, CA 94612