

RFP Title: *Civil Case Management System*  
RFP Number: *SC 1900.2019.5*

# REQUEST FOR PROPOSALS

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

**REGARDING:**

*Civil Case Management System, SC 1900.2019.5*

**PROPOSALS DUE:**

***Thursday, July 25, 2019*** NO LATER THAN ***3:00*** P.M. PACIFIC TIME

<b>TO:</b>	PROSPECTIVE BIDDER
<b>FROM:</b>	The Superior Court of California, County of Alameda
<b>DATE:</b>	May 28, 2019
<b>SUBJECT/PURPOSE OF MEMO:</b>	Request for Proposals (RFP)  The Superior Court of California, County of Alameda seeks to enter into an agreement with a suitable vendor to license and implement a new Civil Case Management System (CCMS) to replace an existing legacy system with a fully integrated and developed CCMS solution that will be able to interface with an e-filing service provider. In particular, the RFP seeks proposals for a state-of-the-art CMS, which includes design of the CMS and all requirements for infrastructure to implement and support the CMS solution, including implementation/deployment services, training, and hardware, network and desktop assessment to ensure adequate desktop and network infrastructure is in place, and ongoing application maintenance and support of the CMS.
<b>ACTION REQUIRED:</b>	You are invited to review and respond to this RFP as posted on the Court's contract opportunities Web site at <a href="http://www.alameda.courts.ca.gov/Pages.aspx/Contract-Opportunities">http://www.alameda.courts.ca.gov/Pages.aspx/Contract-Opportunities</a> Project Title: Civil Case Management System RFP Number: SC 1900.2019.5
<b>SOLICITATIONS MAILBOX:</b>	<a href="mailto:bidquestions@alameda.courts.ca.gov">bidquestions@alameda.courts.ca.gov</a>
<b>MANDATORY PROSPECTIVE BIDDERS' CONFERENCE:</b>	A mandatory Prospective Bidders' conference will be held via conference call: <b>2:00 p.m. (PDT) on June 10, 2019</b>
<b>DUE DATE &amp; TIME FOR SUBMITTAL OF QUESTIONS:</b>	The deadline for submittal of questions pertaining to the solicitation document is: <b>3:00 p.m. (PDT) on June 11, 2019</b>
<b>PROPOSAL DUE DATE AND TIME:</b>	Proposals must be received by: <b>3:00 p.m. (PDT) on July 25, 2019</b>
<b>SUBMISSION OF PROPOSAL:</b>	Proposals should be sent to: <b>Superior Court of California, County of Alameda Finance &amp; Facilities Division Attn: Procurement RFP No. SC 1900.2019.5 1225 Fallon Street, Room 210 Oakland, CA 94612</b>

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## **1.0 BACKGROUND INFORMATION**

The Superior Court of California, County of Alameda (the “Court”) invites proposals for a new Civil Case Management System (CCMS). The Court has approximately 425 users using a homegrown legacy CCMS, which manages Civil-Limited, Unlimited, and Complex, Family Law, Probate, Small Claims and Mental Health case types. The Court envisions moving to a web-based, on premise CCMS that will provide flexibility for public portals and systems to improve efficiency. The Court will also consider off site hosting of the CMS by the vendor if it meets the needs of the Court.

The Court will post all correspondence related to this RFP on its public website at <http://www.alameda.courts.ca.gov/Pages.aspx/Contract-Opportunities>

## **2.0 DESCRIPTION OF GOODS AND/OR SERVICES**

The scope of the RFP includes case management software, licensing, implementation services, data conversion, network and infrastructure recommendations, maintenance and support and alternative hosting solutions required to support the Court as further described herein.

The selected and contracted Prospective Bidders must provide case management software that meets or exceeds a set of functional and business requirements in ongoing daily operations. These requirements are contained in the following: Exhibits 1-8, 12, and 13.

The services provided by the selected and contracted Prospective Bidder must also meet a set of technical requirements. These requirements are contained in Exhibit 4, CMS Technical Requirements.

The Prospective Bidders shall refer to Exhibits 1-5 and 8 for the scope of features and capabilities the software must reliably deliver. The Prospective Bidder shall respond to Exhibits 2-8 using Exhibit 13, Prospective Bidder Response Template.

The Court is seeking a 24-month installation schedule upon execution of the agreement. Please note that the Court will not accept any proposal and related scope of work which requires payment in advance for professional services or payment for software licenses prior to the “go-live.”

### 3.0 TIMELINE FOR THIS RFP

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

EVENT	DATE (all PDT)
RFP issued	May 28, 2019
RSVP Deadline for Mandatory Pre Proposal Conference Call	June 6, 2019 no later than 3:00 p.m.
Mandatory Prospective Bidders' Conference Call	June 10, 2019 2:00 p.m.
Deadline for questions: <a href="mailto:bidquestions@alameda.courts.ca.gov">bidquestions@alameda.courts.ca.gov</a>	June 11, 2019 3:00 p.m.
Questions and Answers posted ( <i>estimated date</i> )	June 14, 2019
<b>Proposal due date</b>	<b>July 25, 2019 3:00 p.m.</b>
Technical Proposal Evaluation Period ( <i>estimate only</i> )	July 29 – August 15, 2019
Invitations for demonstrations ( <i>estimated/if needed</i> )	August 1, 2019
Demonstrations ( <i>estimate only/if needed</i> )	August 7 – August 9, 2019
Public opening of cost portion of proposals at East County Hall of Justice, 5151 Gleason Dr. OIT Suite 100, 102A Conference Room Dublin, CA 93003	August 21, 2019 3:00 p.m.
Notice of Intent to Award ( <i>estimate only</i> )	August 26, 2019
Contract start date ( <i>estimate only</i> )	September 16, 2019
Contract end date ( <i>estimate only</i> )	September 15, 2024 with options to extend for up to 10 additional years

#### 4.0 RFP ATTACHMENTS

The following attachments and exhibits are included as part of this RFP.

##### 4.1 Attachments and Forms

ATTACHMENT	DESCRIPTION
<b>Attachment 1:</b> Administrative Rules Governing RFPs (IT Goods and Services)	These rules govern this solicitation.
<b>Attachment 2:</b> General Terms and Conditions	If selected, the person or entity submitting a proposal (the “Prospective Bidder”) must sign a Court Standard Form agreement containing these terms and conditions (the “Terms and Conditions”).
<b>Attachment 3:</b> Acceptance of Terms and Conditions	On this form, the Prospective Bidder must indicate acceptance of the Terms and Conditions or identify exceptions to the Terms and Conditions.
<b>Attachment 4:</b> General Certifications Form	The Prospective Bidder must complete the General Certifications Form and submit the completed form with its proposal.
<b>Attachment 5:</b> Small Business Declaration	The Prospective Bidder must complete this form only if it wishes to claim the small business preference associated with this solicitation.
<b>Attachment 6:</b> Payee Data Record Form	This form contains information the Court requires in order to process payments and must be submitted with the proposal.
<b>Attachment 7:</b> Iran Contracting Act Certification	The Prospective Bidder must complete the Iran Contracting Act Certification and submit the completed certification with its proposal.
<b>Attachment 8:</b> Darfur Contracting Act Certification	The Prospective Bidder must complete the Darfur Contracting Act Certification and submit the completed certification with its proposal.
<b>Attachment 9:</b> Unruh and FEHA Certification	The Prospective Bidder must complete the Unruh Civil Rights Act and California Fair Employment and Housing Act Certification.
<b>Attachment 10:</b> Bidder DVBE Declaration	The Prospective Bidder must complete this form only if it wishes to claim the small business preference associated with this solicitation

<b>Attachment 11:</b> Bidder Declaration	Form for the Prospective Bidder claiming DVBE incentive.
<b>Attachment 12:</b> Question and Answer Form	Form must be submitted when the Prospective Bidder has a question regarding the RFP. Answers will be posted onto the Court’s website by the deadline set in Section 3.
<b>Attachment 13:</b> Check List	The Prospective Bidder’s checklist detailing required/optional documents for RFP.
<b>Attachment 14:</b> Contact Sheet	The Prospective Bidder’s contact information.

#### 4.2 Requirements and Informational Exhibits

EXHIBIT	DESCRIPTION
<b>Exhibit 1:</b> Summary Scope of Work	Summary description of goods and services requested.
<b>Exhibit 2:</b> CMS Business and Functional Requirements	These are the business and functional requirements. The Prospective Bidder will complete Exhibit 2 and respond with Yes, No, or In Progress (with a release date in the comments box). No comments are allowed for Yes or No responses.
<b>Exhibit 3:</b> Implementation and Deployment Services Overview	The services required to devise a well thought out and thorough approach, a standards and best practices based methodology and deployment plan, and a successful deployment of the CMS Application.
<b>Exhibit 4:</b> CMS Technical Requirements	These are the technical requirements. The Prospective Bidder will complete Exhibit 4 and respond with Yes, No, or In Progress (with a release date in the comments box). Comments are allowed in designated sections.
<b>Exhibit 5:</b> CMS Configuration Requirements	These are the configuration requirements. The Prospective Bidder will complete Exhibit 5 and respond with Yes, No, or In Progress (with a release date in the comments box). Comments are allowed in designated sections.
<b>Exhibit 6:</b> CMS Testing Requirements	These are the testing requirements. The Prospective Bidder will complete Exhibit 6 and respond with Yes, No, or In Progress (with a release date in the comments box). Comments are allowed in designated sections.



<p><b>Exhibit 7:</b> CMS Training Requirements</p>	<p>These are the training requirements. The Prospective Bidder will complete Exhibit 7 and respond with Yes, No, or In Progress (with a release date in the comments box). Comments are allowed in designated sections.</p>
<p><b>Exhibit 8:</b> CMS Demonstration Scripts</p>	<p>Exhibit 8 represents specific processes, account scenarios and functionality that need to be demonstrated to the evaluation team. Provide required responses when prompted.</p>
<p><b>Exhibit 9:</b> WorkQueues-DOMAIN</p>	<p>This document contains samples of work queues from DOMAIN.</p>
<p><b>Exhibit 10:</b> Manual of Accounting</p>	<p>This document contains the Fees and Fines Distribution guidelines and is a mandatory requirement.</p>
<p><b>Exhibit 11:</b> JBSIS Implementation Manual</p>	<p>This document contains the process, definitions, and technical requirements for monthly statistical reporting required by the Court. This is a mandatory requirement.</p>
<p><b>Exhibit 12:</b> CMS Cost Matrix</p>	<p>This document is the cost matrix. Prospective Bidder must complete this Exhibit and include the Exhibit with the Cost Proposal.  <b>DO NOT include with the Technical Proposal.</b></p>
<p><b>Exhibit 13:</b> Prospective Bidder Response Template</p>	<p>This document is the Prospective Bidder Response Template. Prospective Bidder must complete this Exhibit in accordance with the Technical Proposal Contents in Section 8.0 of this RFP.  <b>DO NOT include with Cost Proposal.</b></p>

## 5.0 PAYMENT INFORMATION

- 5.1 **Milestone Payment Schedule:** Payments shall be made according to milestone payment schedules. The milestone payments will be owed and made before the Court accepts live productive use (“Go-Live”) of the CMS.
- 5.2 **Retention:** The Court shall retain at least 10% of the total cost of milestone payment for professional services, payable upon final acceptance and Go-Live.
- 5.3 **Upgrades Due to Changes in Law:** The Court will not pay an additional amount for software upgrades and modifications that are required due to changes in the law or regulations. Prospective Bidders’ proposed costs must include such upgrades and modifications.

- 5.4 **Non-Scope Upgrades:** The Court will be entitled to use any non-scope upgrades or modifications to the CMS that have been previously paid for by another California Court without paying an additional fee.
- 5.5 **Reimbursable Expenses:** Reimbursable expenses will be allowed only as defines in Attachment 2, General Terms and Conditions.

## 6.0 MANDATORY PRE-PROPOSAL CONFERENCE

The Court will hold a mandatory pre-proposal conference via conference call on June 10, 2019 at 2:00 p.m. (PDT). Prospective Bidders must attend the conference to be eligible to submit a response to this RFP.

Interested Proposed must submit an email to [bidquestions@alameda.courts.ca.gov](mailto:bidquestions@alameda.courts.ca.gov) requesting the call-in number and pass code no later than 3:00 p.m. (PDT) on June 6, 2019. The email must include: 1) name of your company and 2) name and title of your designated representative attending the conference call. The RFP number must be included in the subject line of the email. A response will be sent by June 7, 2019 at 3:00 p.m. (PDT) with the call-in number and pass code. Attendance will be taken before the call begins.

## 7.0 SUBMISSIONS OF PROPOSALS

- 7.1 Prospective Bidders should respond to every section of the RFP, all attachments and all exhibits. Vendors may download the original RFP documents from the Web site:  
<http://www.alameda.courts.ca.gov/Pages.aspx/Contract-Opportunities>.

A Prospective Bidder Response Template (Exhibit 13) has been included for standardization of responses. 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 Prospective Bidder **must** submit its proposal in two parts, the Technical Proposal and the Cost Proposal.
- a. The Prospective Bidder must submit **one (1) original and seven (7) copies of the Technical Proposal**. The original must be signed by

an authorized representative of the Prospective Bidder. The original Technical Proposal (and the copies thereof) must be submitted to the Court **in a single sealed envelope, separate from the Cost Proposal**. The Prospective Bidder must write the RFP title and number on the outside of the sealed envelope.

- b. The Prospective Bidder must submit **one (1) original and seven (7) copies of the Cost Proposal**. The original must be signed by an authorized representative of the Prospective Bidder. The original Cost Proposal (and the copies thereof) must be submitted to the Court **in a single sealed envelope, separate from the Technical Proposal**. The Prospective Bidder must write the RFP title and number on the outside of the sealed envelope.
- c. The Prospective Bidder must submit an **electronic version** of the entire proposal on a USB memory stick/flash drive. The files must be in PDF, Microsoft Word, or Excel formats. Please use the following naming convention for electronic files:  
**NAME OF COMPANY RFP SC 1900.2019.5**

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

**Superior Court of California, County of Alameda**  
Finance and Facilities Division  
Attention: Procurement  
**RFP No. SC 1900.2019.5**  
1225 Fallon Street, Room 210  
Oakland, CA 94612

7.4 Late proposals will not be accepted.

7.5 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.

7.6 Interested parties may submit a request for clarifications, modifications, or questions to the Court using the Question and Answer Submission Form, provided in Attachment 12. Requests shall be submitted via email to [bidquestions@alameda.courts.ca.gov](mailto: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.

- 7.7 Telephone calls will not be accepted in the exception of the mandatory Pre Proposal Conference Call.

## 8.0 TECHNICAL PROPOSAL

The Technical Proposal must be submitted in accordance with Exhibit 13, Prospective Bidder Response Template. A proposal lacking any of the information identified in Exhibit 13 may be deemed non-responsive.

- 8.1 **Prospective Bidder Information:** Prospective Bidder's name, address, telephone and FAX numbers, and federal tax identification number. *Note that if Prospective Bidder is a sole proprietor using his or her social security number, the social security number will be required before finalizing a contract.*

Name, title, address, telephone number, and email address of the individual who will act as Prospective Bidder's designated representative for purposes of this RFP.

- 8.2 **Company Overview and Financial Information:** Company name, headquarters location, date founded, ownership (private/public, joint venture, etc.), number of years providing application deployment and application user training services, total number of employees and number of deployment service employees, service delivery locations in the continental United States.

Details of revenue stream, including specific details outlined in Exhibit 13, Prospective Bidder Response Template.

Audited financial statements for the last 3 years together with a current certification made by the CFO stating that statements are current, accurate, and complete with the exception of any materials adverse changes specifically described which have occurred in the status and/or prospects of Prospective Bidder since the effective date of the most recent financial statements.

- 8.3 **Executive Summary:** This section should provide a summary of the key aspects of Prospective Bidder's response to this RFP and the principal advantages to the Court. The Executive Summary must include, but is not limited to, the following:

The Prospective Bidder must describe its approach and capacity to successfully execute the implementation of the case management system software. The guideline for implementation is 24 months, unless otherwise mutually agreed upon by the Court and the Prospective Bidder. This approach must describe the tasks and schedule for implementation. The Prospective Bidder must answer the following questions:

- a. Describe your implementation planning (including project management) process.
- b. Describe your recommendation for roles your company personnel will assume and the roles that Court staff should assume in the implementation process.
- c. Describe your process for coordinating user acceptance.
- d. Describe your process for change management.
- e. Describe your process for critical defect scenarios.
- f. Describe the process and standards employed in determining when phases of deployment are satisfactorily completed.
- g. Describe the process involved in implementing any required state and local configurations, e.g., implementation of state statutes and rules, creation of standard state documents, state calendar, etc. Include any Court personnel required to accomplish the task.
- h. Describe the process involved in assessing and recommending the required hardware and software that will ensure improved performance for the end-users is achieved, and that it is scalable to meet the future needs of the Court.

- i. What factors will impact the schedule for implementation of the CMS solutions.
- j. Explain the tasks, resources, and work products required from the Court to ensure on-time implementation. This must describe the timeframe in which the Court must perform these tasks and provide resources and work products.
- k. What factors would cause variation in the schedule for implementation.
- l. What are the type, quantity, and the time commitment of Prospective Bidder staff involved in the implementation.
- m. Detail and explain the approach to providing ongoing maintenance and support.

8.4 **Business Disputes:** Provide details of any disciplinary actions or other administrative action taken by any jurisdiction or person against Prospective Bidder. List and summarize all judicial or administrative proceedings involving your sourcing activities, claims of unlawful employment discrimination and anti-trust suits in which you have been a party within the last 5 years. If Prospective Bidder is a subsidiary, submit information for all parent companies. If the Prospective Bidder uses subcontractors, associated companies, and consultants that will be involved in any phase of this Agreement, include pertinent subcontractor information.

8.5 **Overview of Prospective Bidder's Qualifications:**

8.5.1 **Teams:** The Prospective Bidder must provide a description of the team or teams that will deliver services. This must identify individuals and Prospective Bidders responsible for:

- a. **Standards Management.** This must specify the manager leading the effort and the subject matter experts delivering each of those services. These are considered key staff members. For each key staff member, the Prospective Bidder must provide a resume describing the individual's background, experience, and ability in performing his/her proposed role and activities.

- b. **Implementation and Deployment.** This must specify the manager leading the effort and the subject matter experts delivering each of those services. These are considered key staff members. For each key staff member, the Prospective Bidder must provide a resume describing the individual's background, experience, and ability in performing his/her proposed role and activities.
- c. **Support and Maintenance.** This must specify the manager leading the effort and the subject matter experts delivering each of those services. These are considered key staff members. For each key staff member, the Prospective Bidder must provide a resume describing the individual's background, experience, and ability in performing his/her proposed role and activities.

**8.5.2 Resumes:** For each key staff member: a résumé of key staff members as outlined in Exhibit 13, Prospective Bidder Response Template, describing the individual's background and experience, as well as the individual's ability and experience in conducting the proposed activities.

**8.5.3 Certifications and Honors:** Prospective Bidder must provide a description of any certifications and honors that Prospective Bidder has received that are related to the requested services, as requested in Exhibit 13, Prospective Bidder Response Template.

**8.5.4 Template References:** Names, addresses, and telephone numbers of a minimum of five (5) clients for whom the Prospective Bidder has provided similar goods and services, including specific details outlined in Exhibit 13, Prospective Bidder Response Template. The Court may check references listed by Prospective Bidder.

**8.5.5 Use of Subcontractors:** A listing of proposed subcontractors, if any, providing the specific details requested in Exhibit 13, Prospective Bidder Response Template.

## **8.6 Response to Requirements:**

**8.6.1 Business and Functional Requirements:** Prospective Bidder will include its response to Exhibit 2 - CMS Business and Functional Requirements.

**8.6.2 Implementation and Deployment Requirements:** Prospective Bidder will include its response to Exhibit 3 - CMS Implementation and Deployment Requirements.

8.6.3 **CMS Technical Requirements:** Prospective Bidder will include its response to Exhibit 4 - CMS Technical Requirements.

8.6.4 **CMS Configuration Requirements:** Prospective Bidder will include its response to Exhibit 5 – CMS Configuration Requirements.

8.6.5 **CMS Testing Requirements:** Prospective Bidder will include its response to Exhibit 6 – CMS Testing Requirements.

8.6.6 **CMS Training Requirements:** Prospective Bidder will includes its response to Exhibit 7 – CMS Training Requirements.

8.6.7 **CMS Demonstration Scripts:** Prospective Bidder will demonstrate specific processes, account scenarios and functionality to the evaluation team of the Court (Exhibit 8).

8.6.8 **Work Queues DOMAIN:** Prospective Bidder will reference Exhibit 9 for WorkQueue samples in DOMAIN.

8.6.9 **Manual of Accounting:** Prospective Bidder will include a statement that it can comply with the Fees and Fines Distribution guidelines set forth in Exhibit 10, Manual of Accounting.

8.6.10 **JBSIS Implementation Manual:** Prospective Bidder will include a statement that it can comply with the requirements set forth in Exhibit 11, CMS JBSIS Implementation Manual.

8.6.11 **CMS Cost Matrix:** Prospective Bidder will list all pricing and cost associated to implement the Case Management System. Prospective Bidder will include its response to Exhibit 12.

8.6.12 **Prospective Bidder Response Template:** Prospective Bidder will respond to the Technical Proposal. Prospective Bidder will include its response to Exhibit 13.

8.6.13 **Payment Requirements:** Prospective Bidder will include a statement that it can comply with the payment provisions set forth in Section 5 of this RFP.



### 8.7 **Acceptance of the Terms and Conditions:**

On Attachment 3, Prospective Bidder must either indicate acceptance of the General Terms and Conditions or clearly identify exceptions to the Terms and Conditions. An “exception” includes any addition, deletion, qualification, limitation, or other change.

If exceptions are identified, Prospective Bidder must also submit a red-lined version of the Terms and Conditions that clearly tracks proposed changes, and a written explanation or rationale of the benefit to the Court resulting from exception and/or proposed change.

### 8.8 **Certifications, Attachments, and Other Requirements:**

- a. California Seller’s Permit – Prospective Bidder must submit with its proposal, for itself and each of its affiliates that make sales for delivery into California, a copy of either (i) a California seller's permit issued under Revenue and Taxation Code Section 6066 et seq. or (ii) a certificate of registration issued under Revenue and Taxation Code Section 6226.
- b. Proof of Good Standing - If Prospective Bidder is a corporation, proof that Prospective Bidder is in good standing and qualified to conduct business in California (Exhibit 13).
- c. Business License - Copies of current business licenses, professional certifications, or other credentials (Exhibit 13).
- d. Payee Data Record - Prospective Bidder must complete and provide the Payee Record Form (Attachment 6).
- e. General Certifications - Prospective Bidder must complete and provide the General Certifications Form (Attachment 4).
- f. Darfur Contracting Act Certification - Prospective Bidder must complete and provide the Darfur Contracting Act Certification (Attachment 8).
- g. Unruh Civil Rights Act and California Fair Employment and Housing Act Certification - Prospective Bidder must complete and provide the Unruh Civil Rights Act and California Fair Employment and Housing Act Certification (Attachment 9).

- h. Iran Contracting Act - Prospective Bidder must complete and provide the Iran Contracting Act Certification (Attachment 7).
- i. Small Business Declaration - Prospective Bidder must complete and provide the Small Business Declaration (Attachment 5) only if it wishes to claim the small business preference associated with this solicitation.
- j. DVBE Declaration - Prospective Bidder must complete and provide the DVBE Declaration (Attachment 10) only if the Prospective Bidder wishes to claim the DVBE incentive associated with this solicitation.
- k. Bidder Declaration - Prospective Bidder must submit a Bidder Declaration (Attachment 11) for each DVBE that will provide goods and/or services in connection with the contract. If Prospective Bidder itself is a DVBE, the Prospective Bidder must also complete and sign the Bidder DVBE Declaration.
- l. Contact sheet – Prospective Bidder must submit this attachment to identify a contact person for the proposal (Attachment 14).

## **9.0 COST PROPOSAL**

The Cost information must be submitted according to Exhibit 12, CMS Cost Matrix. The original Cost Proposal (and the copies thereof) must be submitted to the Court **in a single sealed envelope, separate from the Technical Proposal.**

Prospective Bidder's costs must include software upgrades and modifications due to changes in the law or regulations. Courts will not pay an additional amount for such software upgrades and modifications.

**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 of Attachment 2, General Terms of and Conditions.

## **10.0 OFFER PERIOD**

A Prospective Bidder's proposal is an irrevocable offer for one hundred eighty (180) 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.

## 11.0 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 Court will evaluate the proposals on a 100 point scale, with 3 extra points added for DVBE preference using the criteria set forth in the table below. Award, if made, will be to the highest-scored proposal.

The cost portion of proposals will be publicly opened at the date and time noted in Section 3.0 – Timeline for this RFP.

CATEGORY	FACTORS	MAXIMUM NUMBER OF POINTS
Cost (Ref Section 9.0)	Overall cost based on the fee structure described in the proposal. (Exhibit 12)	40
Organization Information and Qualifications (Ref Section 8.1 – 8.2)	Level of Prospective Bidder organization experience, financial stability, and qualifications.	8
Requirements Response (Ref Section 8.6 – 8.8)	Degree to which the Prospective Bidder’s proposed solution meets the requirements.	25
Approach and Methods (Ref Section 8.3)	Extent to which the proposed approach and methods are likely to deliver the services required in a cost-effective manner for the Court. (Exhibit 13)	20
Acceptance of Terms and Conditions (Ref Section 8.7)	Level of Prospective Bidder’s acceptance of Term and Conditions (Attachment 3).	7
DVBE Incentive (Ref Section 8.8 j,k )	DVBE incentive points (Attachment 10, 11).	3

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>

## 12.0 INTERVIEWS AND DEMONSTRATIONS

The Court may conduct interviews with Prospective Bidders to clarify aspects set forth in their proposals or to assist in finalizing the ranking of top-ranked proposals. The

interviews may be conducted in person or by telephone.

Prospective Bidder's whose proposed products meet the specifications and requirements set forth in this RFP may be asked to provide a live demonstration of their proposed product (Exhibit 8). Demonstrations will be held at a court location either in Oakland or Dublin. The date for the live demonstration is set forth in Section 3.0, Timeline for this RFP. The Court will notify eligible Prospective Bidders regarding demonstration arrangements.

The Court will not reimburse Prospective Bidders for any costs incurred in traveling to or from the interview or demonstration location.

### **13.0 CONFIDENTIAL OR PROPRIETARY INFORMATION**

One copy of each proposal will be retained by the Court for official files and will become a public record. California JBEs are subject to Rule 10.500 of the California Rules of Court, which governs public access to Judicial Administrative Records (see [https://www.courts.ca.gov/documents/title\\_10.pdf](https://www.courts.ca.gov/documents/title_10.pdf)).

If information submitted in a proposal contains material noted or marked as confidential and/or proprietary that, in the Court's sole opinion, meets the disclosure exemption requirements of Rule 10.500, then that information will not be disclosed upon a request for access to such records. If the Court finds or reasonably believes that the materials marked confidential and/or proprietary are **not** exempt from disclosure, the Court will disclose the information regardless of the marking or notation seeking confidential treatment.

Notwithstanding the above, the California Public Contract Code requires the public opening of certain proposals. If required to do so by the Public Contract Code, the Court may disclose all information contained in a proposal, including information marked as confidential or proprietary.

### **14.0 SMALL BUSINESS PREFERENCE**

**14.1 Participation Not Mandatory:** Small business participation is not mandatory. Failure to qualify for the small business preference will not render a proposal non-responsive.

**14.2 Small Business Enterprise (SBE) Incentive:** *Eligibility for and application other 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 Prospective Bidder receives the SBE preference, the score assigned to its proposal will be increased by an amount equal to 5 percent 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.***

**14.3 Qualification:** 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.

**14.4 Process:** 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 5). The Prospective Bidder must submit with the Small Business Declaration and all materials required in the Small Business Declaration.

**14.5 Failure to Complete Forms:** 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, Court staff 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.

**14.6 Meeting SBE Commitments:** 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 MISREPRESENTATION IN CONNECTION WITH THE SMALL BUSINESS PREFERENCE IS UNLAWFUL AND IS PUNISHABLE BY CIVIL PENALTIES. SEE GOVERNMENT CODE SECTION 14842.5.**

## **15.0 DISABLED VETERAN BUSINESS ENTERPRISE INCENTIVE**

**15.1 Qualification Not Mandatory:** Qualification for the DVBE incentive is not mandatory. Failure to qualify for the DVBE incentive will not render a proposal non-responsive.

**15.2 DVBE Point Award:** Eligibility for and 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 sole determination of Court staff, Prospective Bidder has met

all applicable requirements. If Prospective Bidder receives the DVBE incentive, points will be added to the score assigned to Prospective Bidder's proposal. The number of points that will be added is specified in Sections 8.8.j and 8.8.k, above.

**15.3 Qualification:** To receive the DVBE incentive, at least 3 percent 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, Prospective Bidder may have an approved Business Utilization Plan (BUP) on file with the California DGS.

**15.4 Process:**

If Prospective Bidder wishes to seek the DVBE incentive:

- Prospective Bidder must complete and submit with its proposal the DVBE Declaration (Attachment 10). Prospective Bidder must also submit all materials required in the DVBE Declaration.
- Prospective Bidder must submit with its proposal a Bidder 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 also complete and sign the Bidder Declaration (Attachment 11). If Prospective Bidder will use DVBE subcontractors, each DVBE subcontractor must complete and sign a Bidder Declaration. **NOTE:** The Bidder Declaration (Attachment 11) is not required if Prospective Bidder will qualify for the DVBE incentive using a BUP on file with DGS.

**15.5 Failure to Complete Forms:** 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.

**15.6 Qualification Not Mandatory:** Qualification for the DVBE incentive is not mandatory. Failure to qualify for the DVBE incentive will not render a proposal non-responsive.

**15.7 Application of 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.

**15.8 Meeting DVBE Commitments:** 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.**

## **16.0 PROTESTS**

Any protests will be handled in accordance with Chapter 7 of the Judicial Branch Contracting Manual (see [www.courts.ca.gov/documents/jbcl-manual.pdf](http://www.courts.ca.gov/documents/jbcl-manual.pdf)). Failure of a Proposer to comply with the protest procedures set forth in that chapter will render a protest inadequate and non-responsive, and will result in rejection of the protest. The deadline for the Court to receive a solicitation specifications protest is the proposal due date **at July 25, 2019 at 3:00 P.M.** Protests must be sent to:

**Superior Court of California, County of Alameda**  
Finance and Facilities Division  
Attention: Procurement  
**RFP No. SC 1900.2019.5**  
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 should be sent to:

**Superior Court of California, County of Alameda**  
Finance and Facilities Division  
Attention: Procurement  
**RFP No. SC 1900.2019.5**  
1225 Fallon Street, Room 210  
Oakland, CA 94612