

RFP Title: *ALAMEDA E-FILING PROJECT*  
RFP Number: *SC 012/029*

# REQUEST FOR PROPOSALS

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***ALAMEDA SUPERIOR COURT***

**REGARDING:**

*ALAMEDA E-FILING PROJECT*  
*SC 012/029*

**PROPOSALS DUE:**

*November 20, 2012* NO LATER THAN 2:00 P.M. PACIFIC TIME

## 1.0 BACKGROUND INFORMATION

- 1.1 The Superior Court of California, County of Alameda (“the Court”) is one of the larger trial Courts of general jurisdiction in California. The Court has approximately 85 judicial officers and 789 employees providing a full range of court services for disputes and cases involving civil, criminal, family, domestic, and juvenile law. Highlighted by the adjacent map, the Court operates in 12 major and satellite facilities spread across Central, East, North and South Alameda County.

The Court seeks to expand its ability to serve the public by giving civil litigants the ability to file documents electronically.

The Court is issuing this Request for Proposal (“RFP”) to find an Electronic Filing Service Provider (“EFSP”) for General Civil cases.



## 2.0 DESCRIPTION OF SERVICES

- 2.1 The Court seeks the services of a person or entity with expertise in qualified EFSP to partner with and implement a web-based application that would provide various litigant types (Attorneys, Law Firms, Self-Represented, Government Agencies, Third Parties) the ability to file documents and conduct Court business without having to travel to a physical court location.

The Court intends to deploy an E-Filing pilot in April 2013 with a full production rollout targeted for July 2013.

The Court is seeking to develop a partnership with a company with proven electronic filing experience that can provide an EFSP that can post filings into DOMAIN with minimal manual intervention. Filed documents will feed the Alameda Superior Court's case management system (DOMAIN).

The Court is seeking a partner that can:

- Provide an effective electronic filing solution for General Civil cases which increases efficiency and productivity for all those participating in the project
- Comply with either the statewide electronic filing standard (“2GEFS”) or the electronic court filing (ECF 4.0 or greater) standard and any extensions required to support the Court’s initiative

- Deploy and support an easy to use internet-based portal that supports both free-form pleadings and form based filings
- Provide support to users of the system (e.g. Subscribers & Court Staff)
- Collect online payments and electronically transmit filing fees per Court established interface protocols
- Work with the Court Accounting division to plan and implement an easy monthly reconciliation of billing and fees
- Provide Other Services (e.g. Service of Process)
- Provide other value-added services to users (e.g. Intelligent/Assistive Forms, Public Access to Court Documents, Application Development for Specialized Filer Needs, Training and User Tip Sheets, etc.)
- Interface with the Court’s DOMAIN Case Management System which includes a Document Management System
- Provide easy billing and payment for filer services

The Court intends to award a contract to a Vendor that is able to perform all of the above within a fluid and dynamic environment, as further described in the SOW of this RFP.

## **2.2 California Rules of Court (CRC) – E-Filing Related Legislation**

All solutions implemented as a result of this RFP must be compliant with the current and applicable California Rules of Court. For further information please visit the California Judicial Branch website at: <http://www.courts.ca.gov>.

Rules for Filing and Service by Electronic Means (CRC 2.250 to 2.261) are located at: <http://www.courts.ca.gov/rules.htm>

## **2.3 Key Milestone Dates**

The Court has established key milestone dates for the Alameda E-Filing Project. The Court’s desire is to have a Contractor implement an E-Filing Services pilot in April 2013 and a full production rollout in July 2013.

<b>Deliverables</b>	<b>Key Date</b>
Pilot	April 2013
Full Production Rollout	July 2013

## **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
RFP issued	<i>October 19, 2012</i>
Pre-proposal Conference	<i>October 30, 2012 2:00 PM (PST)</i>
Deadline for questions	<i>November 5, 2012 2:00 PM (PST)</i>
Questions and answers posted	<i>November 7, 2012</i>
Latest date and time proposal may be submitted	<i>November 20, 2012 at 2:00 PM ( PST)</i>
Evaluation of proposals ( <i>estimate only</i> )	<i>November 28– December 13, 2012</i>
Notice of Intent to Award ( <i>estimate only</i> )	<i>December 21, 2012</i>
Negotiations and execution of contract ( <i>estimate only</i> )	<i>December 26, 2012</i>
Contract start date ( <i>estimate only</i> )	<i>January 2, 2013</i>
Contract end date ( <i>estimate only</i> )	<i>January 2, 2016</i>

#### **4.0 RFP ATTACHMENTS**

The following attachments are included as part of this RFP:

ATTACHMENT	DESCRIPTION
Attachment 1: Administrative Rules Governing RFPs	These rules govern this solicitation.
Attachment 2: Court Standard Terms and Conditions	If selected, the person or entity submitting a proposal (the “Proposer”) must sign a Court Standard Form agreement containing these terms and conditions (the “Terms and Conditions”).
Attachment 3: Proposer’s Acceptance of Terms and Conditions	On this form, the Proposer must indicate acceptance of the Terms and Conditions or identify exceptions to the Terms and Conditions.  <b>Note: A material exception to a Minimum Term will render a proposal non-responsive.</b>
Attachment 4: Proposer Certification Form	This form is for certification that proposer, or proposed subcontractor is in good standing in the State of California.
Attachment 5: Statement of Work/Requirements	List of services to be provided which include an area for detailed responses from proposers.
Attachment 6: Pricing Schedule	Provide pricing for the components noted.

**5.0 PAYMENT INFORMATION**

Payment information will be provided at a later date prior to issuance of a contract with prescribed vendor(s).

**6.0 PRE-PROPOSAL CONFERENCE**

The Court will hold a pre-proposal conference on the date identified in the timeline above. The pre-proposal conference will be held at the Court’s offices at

Office of Information Technology  
7751 B Edgewater Drive  
Oakland, CA 94621

The proposal conference is **mandatory**; prospective Contractors are encouraged to attend in order to better understand the proposal requirements. The Court would appreciate your company limiting the number of representatives in attendance to two (2) individuals. Please notify the Court of your intention to attend the conference, via email to [bidquestions@alameda.courts.ca.gov](mailto:bidquestions@alameda.courts.ca.gov) .

The Court will prepare a summary of questions and answers from the proposal conference, as an addendum, which would be posted on the Court website.

## **7.0 SUBMISSIONS 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.
- a. The Proposer must submit **one (1) original and seven (7) copies** of the non-cost portion of the proposal. The original must be signed by an authorized representative of the Proposer. The Proposer must write the RFP title and number on the outside of the sealed envelope.
  - b. The Proposer must submit **one (1) original and seven (7) copies** of the cost portion of the proposal. The original must be signed by an authorized representative of the Proposer. The original cost portion (and the copies thereof) must be submitted to the Court in a single sealed envelope, separate from the non-cost portion. The Proposer must write the RFP title and number on the outside of the sealed envelope.
  - c. The Proposer must submit **one (1) electronic version** of the entire proposal on CD-ROM. The files contained on the CD-ROM should be in PDF, Word, or Excel formats.
- 7.3 Proposals must be delivered by the date and time listed on the coversheet of this RFP to:
- Finance Bureau  
Procurement Unit  
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.

## **8.0 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.

- a. Proposer's name, address, telephone and fax numbers, and federal tax identification number. Note that if Proposer is a sole proprietor using his or her social security number, the social security number will be required before finalizing a contract.
- b. Name, title, address, telephone number, and email address of the individual who will act as Proposer's designated representative for purposes of this RFP.
- e. For each key staff member: a resume describing the individual's background and experience, as well as the individual's ability and experience in conducting the proposed activities.
- f. Names, addresses, and telephone numbers of a minimum of five (5) clients for whom the Proposer has conducted similar services. The Court may check references listed by Proposer.
- g. Proposed method to complete the work.
- h. Acceptance of the Terms and Conditions.
  - i. On Attachment 3, the Proposer must either indicate acceptance of the Terms and Conditions or clearly identify exceptions to the Terms and Conditions. An "exception" includes any addition, deletion, or other modification.
  - ii. If exceptions are identified, the Proposer must also submit a red-lined version of the Terms and Conditions that clearly tracks proposed changes, and 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.**
- i. Certifications, Attachments, and other requirements.

- i. Proposer must include the following certifications in its proposal:

Proposer certifies that it 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.

Proposer certifies that either (i) it is not a scrutinized company as defined in PCC 10490(b), or (ii) the goods or services the Proposer would provide to the Court are not related to products or services that are the reason the Proposer must comply with Section 13(p) of the Securities Exchange Act of 1934. (Note: PCC 10490(b) defines a “scrutinized company” as “a person that has been found to be in violation of Section 13(p) of the Securities Exchange Act of 1934 by final judgment or settlement entered in a civil or administrative action brought by the Securities and Exchange Commission and the person has not remedied or cured the violation in a manner accepted by the commission on or before final judgment or settlement.”)

- ii. Experience as an Electronic Filing Service Provider (EFSP) for one or more Courts utilizing a software application that conforms to either California’s Second Generation E-Filing Specifications (2GEFS) or the Electronic Court Filing (ECF 4.0 or greater) standard.
- iii. 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.
- iv. Ability to provide a team of experts in the following areas: Development, Implementation, and Continued Operation of E-Filing technology; Document automation; E-Filing standards and specifications; Integration of E-Filing with our Case Management System (DOMAIN); Court calendar management; Ability to communicate effectively and work with all levels of project management and Court staff.
- v. If (i) Proposer is a corporation, limited liability company, or limited partnership, and (ii) the agreement resulting from this RFP will be performed in California, proof that Proposer is in good standing and qualified to conduct business in California.
- vi. Copies of current business licenses, professional certifications, or other credentials.

- vii. Proof of financial solvency or stability (e.g., balance sheets and income statements).

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

IT Services:

- i. A detailed line item budget showing total cost of the proposed services.
- ii. A full explanation of all budget line items in a narrative entitled “Budget Justification.”
- iii. A “not to exceed” total for all work and expenses payable under the contract, if awarded.

**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.

## 9.0 OFFER PERIOD

A Proposer's proposal is an irrevocable offer for ninety (90) days following the proposal due date. In the event a final contract has not been awarded within this period, the Court reserves the right to negotiate extensions to this period.

## 10.0 EVALUATION OF PROPOSALS

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 [www.alameda.courts.ca.gov/contractopportunities](http://www.alameda.courts.ca.gov/contractopportunities).

CRITERION	MAXIMUM NUMBER OF POINTS
Technical Solution <i>Proposals will be evaluated as to the degree to which the Contractor’s proposed solution meets the Court’s requirements as described in the SOW. To be considered technically acceptable</i>	40

<i>in this area, the Contractor's proposed solution must meet all minimum requirements as so designated in the SOW.</i>	
Company Experience and Viability <i>The Contractor will be evaluated on its ability to successfully perform based on its company history, experience and success in providing like equipment and services to groups of similar size and complexity with similar requirements to that of the Court.</i>	25
Cost Factors <i>The proposal will be evaluated in terms of its overall cost to the Court, including any support that may be required to be supplied by the Court or its agents. Award, if any, will be made to the Contractor whose proposal, in the opinion of the Court, offers the best value, cost and other factors considered.</i>	20
<i>Acceptance of the Terms and Conditions</i>	5
<i>Ability to meet timing requirements to complete the project</i>	10

## 11.0 INTERVIEWS

The Court may conduct interviews with Proposers to clarify aspects set forth in their proposals or to assist in finalizing the ranking of top-ranked proposals. The 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 may be conducted in person or by phone. If conducted in person, interviews will likely be held at the Court's offices. The Court will not reimburse Proposers for any costs incurred in traveling to or from the interview location. The Court will notify eligible Proposers regarding interview arrangements.

## 12.0 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 judicial branch entities are subject to rule 10.500 of the California Rule of Court, which governs public access to judicial administrative records (see [www.courtinfo.ca.gov/cms/rules/index.cfm?title=ten&linkid=rule10\\_500](http://www.courtinfo.ca.gov/cms/rules/index.cfm?title=ten&linkid=rule10_500))

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 material so

marked is **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, a Court may disclose all information contained in a proposal, including information marked as confidential or proprietary.

### **13.0 DISABLED VETERAN BUSINESS ENTERPRISE PARTICIPATION GOALS**

The Court has waived the inclusion of DVBE participation in this solicitation.

### **14.0 PROTESTS**

Any protests will be handled in accordance with Chapter 7 of the Judicial Branch Contract 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 November 20, 2012. Protests should be sent to:

Linda Salcido  
Procurement Manager  
1225 Fallon Street, Room 210  
Oakland, CA 94612