

REQUEST FOR PROPOSALS

SUPERIOR COURT OF CALIFORNIA COUNTY OF IMPERIAL (JBE)

REGARDING:

Jury Management System R2324-05

1.0 BACKGROUND INFORMATION

The Court currently uses software from Judicial Systems, Inc. Currently, about 1,500 summons are sent weekly with responses of about 800 jurors.

All information for this RFP is published at

<https://www.imperial.courts.ca.gov/general-information/requests-proposals>

2.0 TIMELINE FOR THIS RFP

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

EVENT	DATE
RFP issued	<i>January 26, 2024</i>
Pre-proposal Conference MANDATORY Contact erdgz@imperial.courts.ca.gov for Teams meeting link	<i>February 9, 2024 10:00 a.m. PST</i>
Deadline for questions	<i>February 9, 2024</i>
Latest date and time proposal may be submitted	<i>February 14, 2024 4:00 p.m. PST</i>
Anticipated interview & demo dates (<i>estimate only</i>) thru Teams Meeting	<i>February 20 & 21, 2024</i>
Evaluation of proposals (<i>estimate only</i>)	<i>February 22, 2024</i>
Public opening of cost portion of proposals At 939 W. Main St., El Centro, CA 92243 2 nd floor, accounting dept.	<i>February 23, 2024 10:00 a.m. PST</i>
Notice of Intent to Award (<i>estimate only</i>)	<i>February 23, 2024</i>
Contract start and end dates (<i>estimate only</i>)	<i>March 1, 2024-February 28, 2029 with options to extend to 2035</i>

3.0 RFP ATTACHMENTS

The following attachments are included as part of this RFP:

ATTACHMENT	DESCRIPTION
Attachment 1: Administrative Rules Governing RFPs (IT Goods and Services)	These rules govern this solicitation.
Attachment 2: JBE Standard Terms and Conditions	If selected, the person or entity submitting a proposal (the “Proposer”) must sign a JBE 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. Note: A material exception (addition, deletion, or other modification) to a Minimum Term will render a proposal non-responsive. The JBE, in its sole discretion, will determine what constitutes a material exception.
Attachment 4: General Certifications Form	The Proposer must complete the General Certifications Form and submit the completed form with its proposal.
Attachment 5: Small Business Declaration	The Proposer must complete this form only if it wishes to claim the small business preference associated with this solicitation.
Attachment 6: Payee Data Record Form	This form contains information the JBE requires in order to process payments and must be submitted with the proposal.
Attachment 7: Iran Contracting Act Certification	The Proposer must complete the Iran Contracting Act Certification and submit the completed certification with its proposal.
Attachment 8: Unruh and FEHA Certification	The Proposer must complete the Unruh Civil Rights Act and California Fair Employment and Housing Act Certification.
Attachment 9: Darfur Contracting Act Certification	The Proposer must complete the Darfur Contracting Act Certification and submit the completed certification with its proposal.
Attachment 10: Scope of Work	Description of work to be provided. Will also be agreement Appendix A.
Attachment 11: Cost Proposal	Cost proposal to be completed & submitted in with cost portion.

4.0 PAYMENT INFORMATION

See Attachment 2, Appendix B.

5.0 PRE-PROPOSAL CONFERENCE

The JBE will hold a pre-proposal conference on the date and place identified in Section 2. Attendance at the pre-proposal conference is **MANDATORY**. Each Proposer must be

certain to check in at the pre-proposal conference, as the attendance list will be used to ascertain compliance with this requirement. The JBE will reject a proposal from any Proposer who did not attend the pre-proposal conference.

6.0 SUBMISSIONS OF PROPOSALS

6.1 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.

6.2 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 three (3) copies** of the **non-cost portion** of the proposal. The original must be signed by an authorized representative of the Proposer. The original non-cost portion of the proposal (and the copies thereof) must be submitted to the JBE in a single sealed envelope, separate from the cost portion. The Proposer must write the **company name, RFP title and number on the outside** of the sealed envelope.

b. The Proposer must submit **one (1) original and three (3) copies** of the **cost portion** of the proposal. The original must be signed by an authorized representative of the Proposer. The original cost portion of the proposal (and the copies thereof) must be submitted to the JBE in a single sealed envelope, separate from the non-cost portion. The Proposer must write the **company name, RFP title and number on the outside** of the sealed envelope.

c. The Proposer must submit an electronic version of the entire proposal on USB memory stick/flash drive. The files must be in PDF, Word, or Excel formats.

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

Superior Court of California, County of Imperial
CONFIDENTIAL
Attention: Elsa Rodriguez
939 W. Main Street, 2nd floor
El Centro, CA 92243

6.4 Late proposals will not be accepted.

6.5 ~~Only written proposals will be accepted.~~ Proposals may be sent by registered or certified mail, courier service (e.g. FedEx), or delivered by hand **or e-mail to erdgz@imperial.courts.ca.gov** Proposals may not be transmitted by fax.

Bids submitted by e-mail will be considered only if they are sent to erdgz@imperial.courts.ca.gov or erodriguez@imperial.courts.ca.gov. Bids sent to any other e-mail will not be considered. The pages of the e-mailed bid received before the bid due date and time specified in the solicitation document will be considered “the complete bid.” Please be advised the JBE assumes no responsibility if a bidder cannot transmit its bid via e-mail.

7.0 PROPOSAL CONTENTS

7.1 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. **Contact:** Name, title, address, telephone number, and email address of the individual who will act as the Proposer’s designated representative for purposes of this RFP.
- b. **References:** Names, addresses, e-mail and telephone numbers of preferably four (4) clients for whom the Proposer has conducted similar services. The JBE may check references listed by the Proposer. Any prior experience with the Court will be taken into consideration.
- c. **Work Plan:** System functionalities, specifications, system requirements, or other description of the software the Proposer proposes to supply to the JBE. Proposed method to complete the work. Including project/team organization and time estimates.
- d. **Staff:** 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.
- e. **Seller’s permit:** The Proposer 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.
- f. **Good standing:** 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.

- g. **Certification**: Copies of the Proposer's (and any subcontractors') current business licenses, professional certifications, or other credentials.
 - h. **Attachment 3 Accept Terms and Conditions**: The Proposer must check the appropriate box and sign the form. If the Proposer marks the second box, it must provide the required additional materials. An "exception" includes any addition, deletion, or other modification.
Note: A material exception to a Minimum Term will render a proposal non-responsive. The JBE, in its sole discretion, will determine what constitutes a material exception.
 - i. **Attachment 7 Iran**: The Proposer must complete the Iran Contracting Act Certification (Attachment 7) and submit the completed certification with its proposal.
 - j. **Attachment 8 Unruh**: The Proposer must complete the Unruh Civil Rights Act and California Fair Employment and Housing Act Certification (Attachment 8) and submit the completed certification with its bid.
 - k. **Attachment 9 Darfur**: The Proposer must complete the Darfur Contracting Act Certification (Attachment 9) and submit the completed certification with its proposal
- 7.2 **Cost Portion**. The following information must be included in the cost portion of the proposal.
- a. Attachment 11.
 - b. A detailed line-item budget showing the total cost of the proposed services.
 - c. A full explanation of all budget line items in a narrative entitled "Budget Justification."
 - d. 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.

8.0 OFFER PERIOD

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

9.0 EVALUATION OF PROPOSALS

The cost portion of proposals will be publicly opened at the date and time noted in Section 3.0. The JBE 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. The names, titles, locations and experience of the reviewers or the details of the evaluation process are not available to the Proposers. If a contract will be awarded, the Court will post an intent to award notice at <https://www.imperial.courts.ca.gov/general-information/requests-proposals>

CRITERION	MAXIMUM NUMBER OF POINTS
<i>Quality of work plan submitted</i>	<i>15</i>
<i>Experience on similar assignments and Credentials of staff to be assigned to the project</i>	<i>12</i>
<i>Demo & Interview and Ability to meet timing requirements to complete the project</i>	<i>30</i>
<i>Cost</i>	<i>30</i>
<i>Compliance with RFP Requirements and Acceptance of the Terms and Conditions</i>	<i>5</i>
<i>Disabled Veteran Business Enterprise (DVBE) Incentive</i>	<i>3</i>
<i>Small Business Preference</i>	<i>5% of score</i>

10.0 INTERVIEWS

The JBE 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 will be conducted thru video conference. The JBE will not reimburse Proposers for any costs incurred in traveling to or from the interview location. The JBE will notify eligible Proposers regarding interview arrangements.

11.0 CONFIDENTIAL OR PROPRIETARY INFORMATION

PROPOSALS ARE SUBJECT TO DISCLOSURE TO THIRD PARTIES AND MEMBERS OF THE PUBLIC PURSUANT TO APPLICABLE LAWS, INCLUDING PUBLIC DISCLOSURE PURSUANT TO RULE 10.500 OF THE CALIFORNIA RULES OF COURT. Except as required by law, the JBE will not disclose (i) social security numbers, or (ii) balance sheets or income statements submitted by a Proposer that is not a publicly-traded corporation. All other information in proposals may be disclosed in response to applicable public records requests, or as otherwise required by law. Such disclosure may be made regardless of whether the proposal (or portions thereof) is marked “confidential,” “proprietary,” “copyright ©,” or otherwise, and regardless of any statement in the proposal (a) purporting to limit the JBE’s right to disclose information in the proposal, or (b) requiring the JBE to inform or obtain the

consent of the Proposer prior to the disclosure of the proposal (or portions thereof). Any proposal that is password protected, or contains portions that are password protected, may be rejected. Submission of any proposal pursuant to this RFP constitutes acknowledgment and consent by the Proposer to the potential public disclosure of its proposal content, as set forth in this Section 12. **Proposers are accordingly cautioned not to include confidential, proprietary, or privileged information in proposals.**

12.0 DISABLED VETERAN BUSINESS ENTERPRISE INCENTIVE

The court participates in a disabled veteran business enterprise participation goal. Details are posted at

<https://www.imperial.courts.ca.gov/general-information/requests-proposals>

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 JBE's Small Business Preference Procedures for the Procurement of Information Technology Goods and Services. The Proposer will receive a small business preference if, in the JBE's sole determination, the Proposer has met all applicable requirements. If the Proposer receives the small business preference, the score assigned to its proposal will be increased by an amount equal to 5% of the points assigned to the highest scored proposal. If a DVBE incentive is also offered in connection with this solicitation, additional rules regarding the interaction between the small business preference and the DVBE incentive apply.

To receive the small business preference, the Proposer must be either (i) a Department of General Services ("DGS") certified small business or microbusiness performing a commercially useful function, or (ii) a DGS-certified small business nonprofit veteran service agency.

If the Proposer wishes to seek the small business preference, the Proposer must complete and submit with its proposal the Small Business Declaration (Attachment 5). The Proposer 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 Proposer not receiving the small business preference. In addition, the JBE may request additional written clarifying information. Failure to provide this information as requested will result in the Proposer not receiving the small business preference.

If the Proposer receives the small business preference, (i) the Proposer will be required to complete a post-contract report; and (ii) failure to meet the small business commitment set forth in its proposal will constitute a breach of contract.

**FRAUDULENT MISREPRESENTATION 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 the Court's protest policy posted at <https://www.imperial.courts.ca.gov/general-information/requests-proposals> Failure of a Proposer to comply with the protest procedures set forth will render a protest inadequate and non-responsive, and will result in rejection of the protest.

Protests must be sent to:

Protest Officer / Fiscal Department
Superior Court of California, County of Imperial
939 W. Main St.
El Centro, Ca 92243