

REQUEST FOR
PROPOSALS

KINGS SUPERIOR COURT

REGARDING:

*KINGS CASE MANAGEMENT SYSTEM REPLACEMENT
RFP #4-12 – Kings*

PROPOSALS DUE:

9/7/2012 NO LATER THAN 4:00 P.M. PACIFIC TIME

Document History

Revision Number	Date	Additions/Modifications	Sections	Revised By
1.0	6/6/2012	Initial draft completed	all	Jennifer Dodd Ken Dones
2.0	6/12/2012	Consolidation of scope statement table with bulleted scope details	all	Jennifer Dodd
2.1	6/13/2012	Change milestone procurement schedule per Mr. Barton	4.1	Jennifer Dodd
2.2	7/3/2012	Added changes made to final AOC RFP and suggestions made by KC	all	Jennifer Dodd
2.3	7/20/2012	Change late date vendor can file a complaint or protest	13.0	Jennifer Dodd
2.4	7/30/2012	Updated reference to “Standard Terms and Conditions” and numbering consistencies	all	Jennifer Dodd
2.5	8/28/2012	Updated reflect courts request for a five year support and maintenance agreement and the Evaluation Matrix to adhere to the Judicial Branch Contracting Manual (JBCM) requirements for 50% cost allocation to the evaluation matrix	7.2 9.0	Jennifer Dodd

1.0 BACKGROUND INFORMATION

1.1 Judicial Council of California

The Judicial Council of California, under the leadership of the Chief Justice, is the policymaking body of California's Judicial Branch. In accordance with the California Constitution, the Council is responsible for ensuring the consistent, independent, impartial, and accessible administration of justice. The California Constitution directs the Council to improve the administration of justice by surveying judicial business, recommending improvements to the Courts, and making recommendations annually to the Governor and the Legislature. The Council also adopts rules for court administration, practice, and procedure, and performs other functions prescribed by law. The Council performs most of its work through advisory committees and task forces.

1.2 Administrative Office of the Courts (AOC)

The AOC is the staff agency to the Judicial Council and assists both the Council and its chair in performing their duties. The Information Services Division (ISD) is responsible for the development, acquisition, implementation, and support of automated systems in the Appellate Courts and the AOC. Over the past several years, the AOC scope of responsibility has broadened to include coordination of technological developments in some of the trial courts.

1.3 CCSM V4 Termination

The California Court Case Management System (CCMS) was a statewide initiative to develop and deploy a unified case management system for all 58 Superior Courts within the state. CCMS was designed to reduce operating costs, increase efficiency, and give Californians an unprecedented level of access to their courts. During the March 27, 2012, Judicial Council business meeting, the Council unanimously voted to terminate CCMS V4 deployment due to the current budgetary constraints. In the wake of the Judicial Council's decision to terminate the project, replacing the Court's antiquated mainframe system and creating a unified case management system for all case types has become a top priority.

1.4 Kings Superior Court

Kings Superior Court is seeking vendors to provide information technology products and services for a replacement Case Management System (CMS) for the Kings Superior Court of California. The agreements will be between the selected vendor and the Kings Superior Court. The product being sought is a replacement CMS application with a Document Management System (DMS), and Electronic Filing (E-Filing) capabilities to provide a fully developed paperless CMS to provide efficient service to the Court, justice partners and the public.

2.0 DESCRIPTION OF GOODS AND/OR SERVICES

2.1 Purpose

The purpose of this Request for Proposal (hereinafter called RFP) is to obtain written proposals for a Court CMS comprised of the combination of products and services to support a thirteen-month implementation of a CMS for the Kings Superior Court. This RFP also includes deployment services, training of all judicial and non-judicial personnel who may utilize the system. The purpose of the project is to provide Kings Superior Court with a state-of-the-art CMS, DMS, and E-Filing applications collectively known as "CMS". The Court will consider either a locally-hosted or off-site hosted solution. The hosted solution should include the design of the CMS and all requirements for the infrastructure necessary to implement the CMS solution, implementation services, training, and a hardware, network and desktop assessment with

recommendations in order to ensure that an adequate desktop and network infrastructure is in place to support the CMS solution. These products and services will also require ongoing application maintenance and support pursuant to the software service license and maintenance agreements.

2.2 Goal

The primary goal of the RFP is to replace Kings Superior Court's existing legacy systems with a unified, fully developed, paperless CMS solution. The selected CMS associated services and capabilities should be modern, efficient, reliable, economical and proven. It is also the goal of this RFP to engage an experienced vendor capable of executing an efficient project within the thirteen-month timeframe and also within budget.

2.3 Scope

The scope of the RFP is to obtain case management software, licensing, implementation services, data conversion, network and infrastructure recommendations, and a hosting solution for the CMS applications.

The implementation of Case Management System Application includes:

- Providing CMS application software that meets the functional requirements for Kings Superior Court including but not limited to the following components: database security, an integrated DMS, E-filing functionality, fully developed paperless case management processing, and a web-based public-facing portal.
- Analyzing Trial Court operations to effectively implement the CMS applications
- Installing, configuring, and testing the CMS applications according to the business rules and processes of the Court to produce a high performance CMS
- Configurable workflow to actively process cases using automated and manual work queues to maximize productivity and efficiency
- CMS configured to be current with state laws, federal regulations, rules of court, calculations of fees & fines distribution, and administrative requirements (*Attachment 1*)
- Maintaining the CMS application for changes in regulatory requirements, application enhancements, common configuration changes, and fixing program defects
- Scalable system to accommodate court size, court users, data volume, and public web users
- Full State and local data exchange and interface integration

The recommendation for a Trial Court network infrastructure includes:

- Desktop assessment with hardware and software recommendations
- Network assessment and design specifications for network security and bandwidth specifications to adequately handle anticipated networking loads and access for the CMS proposed solution
- Integration support for the network infrastructure to function with the CMS
- Data Integration support ensuring connectivity for all required state and local Justice Partners and interfaces

Hosting solution includes:

- Providing the design specifications and acquisition details for locally and/or off-site hosted CMS, DMS, and E-Filing applications, including production and non-production environments to run the CMS and to support DMS and E-Filing applications, using modern proven technology that is in compliance with the security and infrastructure requirements (detailed in *Attachment 13*)

- Integrating the CMS servers and network servers with the network infrastructure and desktop workstations
- Document Management Services including any additional hardware and third party software recommendations
- Systems management (administration, change management, security, data recovery, and disaster recovery)
- Assisting in DMS scanners setup, configuration and business use

2.4 Deployment Services

It is the aim of the Court to appoint an experienced vendor capable of executing an efficient project within the agreed-upon schedule and budget. Based on the goals detailed in Section 2.2 and the capacity of the vendor, please prepare a deployment approach and implementation plan that will meet the high-level tasks for this project. The deployment approach should include resource loading necessary for implementation activities. Deployment services proposal should include the following project management, solution design and implementation planning suggestions.

A. Deployment Approach:

- Project Management
The vendor will develop a comprehensive project management plan. The proposed plan will be used to track and control project progress as well as provide weekly updates. Additional project management tasks should include:
 - Scheduling project kick-off and project status meetings
 - Developing and presenting a project plan and schedule, and updating as necessary
 - Managing, monitoring and controlling project activities and progress
 - Breaking down work by resources
 - Resource Plan loading
 - Use of project management tools
 - Use of project change requests, issue and risk documentation, and status
 - Preparing and distributing weekly status reports to designated stakeholders
- Solution Environment Design
The vendor will provide a formal design, acquisition inventory list, and build instruction of what will become the CMS solution implementation environment. When describing your approach to designing the solution environment keep in mind that the Court and vendor should eventually have joint validation work sessions to plan the installations, including identification of the requirements for hardware and network provisioning.
- Functional Requirements Gap Analysis
The vendor will iteratively review configurations and develop business processes that take advantage of the new available functionality of the CMS product and document the functional requirements including, but not limited to, requirements for each case type and role. When describing how you will determine and deal with functional gaps, the description should include requirements validation and gap analysis work sessions with Court subject matter experts. This phase should include notices/documents and reports requirements. This phase should also include reviews of any required additional modules such as financials, automation, minutes, notes, and public portal.

- **Implementation Plan**
Provide a detailed implementation plan that includes the following, as well as assumptions, necessary Court staff, and required skill sets:
 - Implementation timeline preferred to be completed within 13 months
 - Infrastructure design, hardware and software inventory acquisition list, and build instructions
 - Software loads
 - Base system ready and set up date
 - Data conversion from existing system
 - Resources and responsibilities
 - Business process change strategy
 - Testing strategy
 - Training strategy
 - Planned communication to stakeholders
 - Go-Live support approach and planning
 - Risk analysis and contingency planning
 - Post-implementation approach and support planning

- **Integration Plan**
Describe your approach to integration planning in order to replace, convert, and/or support existing data exchanges for state and local Justice Partners. The proposed integration plan should describe how the vendor will analyze the integration requirements (*Attachment 11*).

B. Vendor Resources and Implementation Activities:

- **Implementation Services**
The vendor and the Court will implement the user acceptance test and production environments solution. Vendor and the Court will execute the implementation plan defined—that includes an emphasis on implementation, cut-over, risk and contingency planning, post-implementation support planning, and knowledge transfer and transition strategy.

- **Set-Up and Administration**
The vendor will work with the Court to have the appropriate hardware required for the CMS solution installed. Vendor will install and configure the CMS solution into the Court environment. Vendor will train the Court staff in the installation, administration, system updating, tuning, and troubleshooting procedures.

- **Application Configuration**
With guidance from designated Court staff, vendor will work with the Court to build the application configuration that will serve as the foundation of the CMS solution.

- **Reports and Forms**
The vendor will work with the Court to identify reports and forms required as well as codified values that should be included in the new CMS configuration.

- **Documentation**

The vendor is responsible for creating the standard operational documentation. The vendor working with the Court will create user and system administration manuals that are required by the Court.

- Testing of Business Functionality and Validation
The vendor and the Court will train several groups of Court testers in the use of the system using the approved configuration and documentation. The Court testers with vendor business leads will then conduct system testing and validation of the configuration. They will draw from their experience and also use the test cases created by the vendor, working with Court subject matter experts. Configuration and application fixes will be regression tested and reexamined by Court testers with the assistance of vendor business leads until testing results meet the agreed upon exit criteria.
- End User Training/Knowledge Transfer
The vendor will train the Court trainers until the Court is satisfied. The Court trainers utilizing vendor-provided core documentation will create, with vendor's assistance, the training program, including documentation as desired. Training programs should include but not be limited to:
 - Baseline End-User Training
 - Specific Case Processing by Functional Area
 - System Administrator Training
- Technical Support & Operations Knowledge Transfer
The vendor will train the Court technical staff and provide the necessary documentation and procedures. Training programs should include but not be limited to:
 - System Operations training and documentation
- User Acceptance Activities
The vendor will provide resources to coordinate and support all User Acceptance Testing (UAT) activities utilizing the Court and vendor SMEs to plan, coordinate, conduct end-to-end integration testing, and obtain Court signoff on results
- Go-Live Support
The vendor will provide resources for go-live activities ensuring a seamless business transition utilizing the new CMS solution. Two distinct cutovers are to be included in the implementation plan:
 - Criminal, Traffic, and Juvenile Delinquency
 - Civil
 - Each cutover should be separated by a minimum of six to eight weeks
- Post Implementation Support and Project Closeout
The vendor will provide business and technical support of the CMS solution to ensure a successful implementation by the user community. The vendor will provide application support, track and resolve issues that are uncovered, assist the Court in performing any necessary system tuning to maintain acceptable system performance (*as per service levels detailed in Exhibit 9 of Attachment 2*), finalize technical documentation, and finalize knowledge transfer to the Court. The vendor will perform project closeout tasks to transfer project roles to the Court for ongoing operational support of the new system and document lessons learned.

2.5 Guidelines for Deployment Services Deliverables

The goal of this project is to have a new CMS installed and configured within thirteen (13) months after a contract or letter of intent is signed. Based upon these goals and the capacity of your company, prepare a deployment schedule, project plan and deployment budget.

- Describe your implementation planning (including project management) process.
- Describe your recommendation for roles your company personnel will assume and the roles that Court staff should assume in the implementation process.
- Respond to the following questions that relate to specific issues:
 - 1) Describe how you would facilitate any required interfaces or electronic tools that have been purchased and/or installed and may be copyrighted. Examples of local interfaces may include jail management systems, booking systems, juvenile detention management systems, imaging systems, and probation systems.
 - 2) Describe the process involved in implementing any required specific configurations, e.g., local ordinances, terms of probation and pretrial release, and creation of standard local documents using case management information. Include any local Court personnel required to accomplish the task.
 - 3) Describe the process, resources, and expertise in converting data from existing system into the new CMS
- Describe your process for coordinating user acceptance.
- Describe your process for change management.
- Describe your process for critical defect scenarios.
- Describe your process for coordinating software upgrades and version management.
- Describe the process employed to track and report progress in system deployment.
- Describe the process and standards employed in determining when phases of deployment are satisfactorily completed.
- 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.
- 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.

2.6 Vendor maintenance and support

Maintenance and support that complies with the Court's Standard Terms and Conditions (Exhibit 9 of Attachment 2) which shall include but not be limited to:

- Application Software Licensing
- Application Support and Technical Support for local hosted solution
- End-user and technical support
- Provision of periodic maintenance, legislative updates, and security upgrades per service-level standards and support agreements
- Global configuration changes necessary to support business changes
- Emergency support for break-fix situations

2.7 Vendor Warranty

- Service Warranty that complies with the Court's Standard Terms and Conditions (Section B.1 of Attachment 2)

- Licensed Software Warranty that complies with the Court’s Standard Terms and Conditions (Section B.2 of Attachment 2)

3.0 ROLES & RESPONSIBILITIES

3.1 Vendor Roles and Responsibilities

Role	Function
Project Sponsor	<p>The Project Sponsor will provide executive oversight and the following:</p> <ul style="list-style-type: none"> • Leadership and resources to support project success • Participation in escalation discussions as appropriate
Project Manager	<p>The Project Manager will plan and manage delivery of tasks in collaboration with vendor resources, will as specified:</p> <ul style="list-style-type: none"> • Manage vendor responsibilities and resources throughout the full project life cycle • Develop and maintain a Court-approved project plan and manage necessary vendor and Court resources with assistance from the Court Project Manager • Develop and ensure timely completion of all necessary tasks required to meet the project delivery schedule • Provide necessary assistance and support to the Court Project Manager regarding issues requiring CMS implementation decisions • Have knowledge of Court standards, procedures and business processes, as generally implemented in the industry, and be able to designate vendor support personnel who may be required to participate on project teams • Keep the Court Project Manager apprised of business, organizational and technical issues that may have an impact on the performance and delivery of this project • Work with the Court Project Manager on issues and risks that may cause delays in the delivery schedule • Maintain issue and resolution documentation and provide status reports • Agree to timely resolution of issues and completion of tasks within the vendor’s scope of responsibility that are causing delay to the delivery schedule • Work jointly with the Court to ensure project success • Ensure all activities are coordinated with Court resources
Architect	<p>The Architect will provide technical leadership as well as be responsible for the design, hardware and soft ware acquisition list, build instructions of the CMS and DMS solution, and the associated implementation tasks.</p>
Business resources (configuration)	<p>The business resources will provide the business expertise in case management, as well as business analysis experience with “as-is” and “to-be” systems. These resources will also bring field expertise in implementing interfaces as well as development of business rules, workflows and reports. These resources will be responsible for transitioning CMS knowledge to Court staff over the course of the entire project.</p>
Testing resources	<p>The testing resources will:</p>

	<ul style="list-style-type: none"> • Execute functional testing of the core CMS and DMS applications against the functional requirements (including that which represents functionality provided by the Court’s current CMS configuration—including but not limited to all extracts and interfaces—plus additional functionality available to the Court, except where explicitly agreed to by both Court and vendor) • Support testing of the Court-specific configuration • Work with Court Subject Matter Experts by providing test scripts and coordinating each test phase (including unit testing, integration testing, and user acceptance testing) • Validate expected results
Programming resource	The programming resources will provide expertise in development of the core CMS application, as well as support for configuration items and required interfaces.

3.2 Court Roles and Responsibilities

Project Sponsor	<p>The Project Sponsor will provide executive oversight and the following:</p> <ul style="list-style-type: none"> • Leadership and resources to support project success • Participation in escalation discussions as appropriate
Project Manager	<p>The Project Manager will plan and manage delivery of tasks as specified and the delivery schedule. The Project Manager is responsible for managing Court responsibilities and resources throughout the full project life cycle. The Court Project Manager, in collaboration with business resources, will:</p> <ul style="list-style-type: none"> • Develop a separate project plan detailing all necessary Court tasks and resources required to meet the project delivery schedule • Work jointly with vendor to ensure project success • Collaborate with the vendor to ensure timely completion of Court responsibilities to support the project delivery schedule • Provide assistance and support to the vendor Project Manager regarding issues requiring Court-specific decisions and actions • Have knowledge of Court standards, procedures, business processes and strategic goals, and be able to designate support personnel who may be required to participate on project teams • Keep the vendor Project Manager apprised of business, organizational and technical issues that may have an impact on the performance and delivery of this project • The Court will agree to timely resolution of issues and completion of tasks within the Court’s scope of responsibility that are causing delay to the delivery schedule.
Business resources	<p>The business resources will provide the business expertise in the Court’s processing. These resources will be able to provide the vendor with case type and process-specific information for all phases of the project. Resources, including testing personnel, will be required specific to case-type processing, accounting processing, interface requirements, technical support for Court-supplied infrastructure and components including responsibility for network connectivity, and network performance</p>

Vendor Access	<p>The Court will provide the vendor access (during normal business hours and other mutually agreed-upon times) to Court functional, technical and business staff, facilities, and equipment. The Court will provide assistance and cooperation, complete and accurate information/data, and access to, if required:</p> <ul style="list-style-type: none"> • Systems and networks • Current processes and procedures • Workflow diagrams • Architectural designs • On-site resource personnel as needed for functional and technical reviews
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4.0 TIMELINE FOR THIS RFP

4.1 Proposed Procurement Schedule

Proposals are due by 4:00 pm (Pacific Time) September 7, 2012. Application demonstrations are to be held starting two weeks after the RFP submission deadline. Procurement will be satisfied when a contract or letter of intent is signed. It is the Court’s intention to have a signed contract within 60 days of the RFP submission deadline.

No.	Milestone	Date
1	Kings Superior Court issues RFP	8/1/2012
2	Deadline for vendors to submit questions, requests for clarifications or modifications to rfp@kings.courts.ca.gov	8/8/2012
3	Deadline for vendors to register for vendor conference	8/8/2012
4	Vendor conference	8/21/2012
5	Post vendor questions and Court answers	8/28/2012
6	Vendor solicitation specifications protest deadline	9/4/2012
7	Proposal due date and time (4:00pm PDT)	9/7/2012
8	Finalists’ presentations (solution demonstrations and interviews)	9/17-9/27/2012
9	Pre-pricing evaluation	10/1-10/2/2012
10	Cost portion of proposals public opening	10/3/2012
11	Notice of intent to award	10/10/2012
12	Contract negotiations	10/15-10/31/2012
13	Execution of contract between vendor and Kings Superior Court	11/5/2012
14	Anticipated contract terms	5 years

4.2. 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 via conference call. Attendance at the pre-proposal conference is optional. Vendors are encouraged to attend.

5.0 RFP ATTACHMENTS

The following attachments are included as part of this RFP.

5.1 Contractual Attachments

ATTACHMENT	DESCRIPTION
Attachment 1: Administrative Rules Governing RFPs (IT Goods and Services)	These rules govern this solicitation.
Attachment 2: Court Standard Terms and Conditions	If selected, the person or entity submitting a proposal (the “vendor”) must sign a Court Standard Form Agreement containing these terms and conditions (the “Terms and Conditions”).
Attachment 3: Vendor’s Acceptance of Terms and Conditions	On this form, the vendor must indicate acceptance of the Terms and Conditions or identify exceptions to the Terms and Conditions.
Attachment 4: Payee Data Record Form	This form contains information the Court requires in order to process payments and must be submitted with the proposal.
Attachment 5: Iran Contracting Act Certification	Vendor must complete the Iran Contracting Act Certification and submit the completed certification with its proposal.
Attachment 6: Conflict of Interest Certification Form	Vendor must complete and submit signed Conflict of Interest certification

5.2 CMS Requirements and Court Informational Attachments

ATTACHMENT	DESCRIPTION
Attachment 7	CMS Business and Functional Requirements
Attachment 8	CMS Testing Requirements
Attachment 9	CMS Configuration Requirements
Attachment 10	CMS Training Requirements
Attachment 11	CMS Integration Requirements
Attachment 12	CMS Network/Desktop Requirements
Attachment 13	CMS Infrastructure/Application/Architecture / Security Requirements
Attachment 14	CMS DMS Requirements
Attachment 15	Kings Court Information
Attachment 16	Kings CMS RFP Costing Matrix
Attachment 17	RFP Response Template

5.3 CMS Functional Requirements Exhibits

ATTACHMENT	DESCRIPTION
Exhibit A	Manual of Accounting
Exhibit B	Bail Calculation and Recalculation Process
Exhibit C	JBSIS Implementation Manual

6.0 SUBMISSIONS OF PROPOSALS

6.1 Vendors should respond to each and every section of this RFP and all attachments and sub-exhibits. An RFP response template has been included (*Attachment 17*) 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.

6.2 The vendor must submit its proposal in two parts, the non-cost portion (*Attachment 17*) and the cost portion (*Attachment 16*).

- A. The vendor must submit **one (1) original and seven (7) copies** of the non-cost portion (*Attachment 17*) of the proposal. The original must be signed by an authorized representative of the vendor. The must write the RFP title and number on the outside of the sealed envelope.
- B. The vendor must submit **one (1) original and seven (7) copies** of the cost portion (*Attachment 16*) of the proposal. The original must be signed by an authorized representative of the vendor. 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 vendor must write the RFP title and number on the outside of the sealed envelope.
- C. The vendor must submit an electronic version of the entire proposal on CDROM. The files contained on the CD-ROM should 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:

Kings Superior Court
Attn: Sandy Salyer
1426 South Drive
Hanford, CA 93230

RFP@kings.courts.ca.gov
PHONE: 559-582-1010 X5010

6.4 Late proposals will not be accepted. Postmarks by the due date will not substitute for actual receipt of proposal by the Court.

6.5 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.

7.0 PROPOSAL CONTENTS

7.1 Non-Cost Portion. The following information must be included in the non-cost portion of the proposal (*Attachment 17*). A proposal lacking any of the following information may be deemed non-responsive

- A. Vendor’s name, address, telephone and fax numbers, and federal tax identification number. Note that if vendor 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 vendor’s designated representative for purposes of this RFP.
- C. Names, addresses, and telephone numbers of a minimum of 5 clients for whom the vendor has provided similar goods. The Court may check references listed by vendor.
- D. 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. Proposed approach and methodology employed to complete the work.
- F. Acceptance of the Terms and Conditions.
 - a. On Attachment 3, the vendor must either indicate acceptance of the Terms and Conditions or clearly identify exceptions to the Terms and Conditions. An “exception” includes any addition, deletion, qualification, limitation, or other change.
 - b. If exceptions are identified, the vendor 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.
- G. Certifications, Attachments, and other requirements.
 - a. Vendor must include the following certification in its proposal: Vendor 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.
 - b. Vendor 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.

- c. The RFP Response Template (Attachment 17) contains a number of questions entitled ‘Minimum Requirements to Qualify.’ If Proposer answers “no” to any of these questions, its proposal may be rejected.
- d. If vendor is a corporation, proof that vendor is in good standing and qualified to conduct business in California.
- e. Copies of current business licenses, professional certifications, or other credentials.
- f. Proof of financial solvency or stability (e.g., balance sheets and income statements).

7.2 Cost Portion. The following information must be included in the cost portion of the proposal (Attachment 16).

A. IT Goods:

- a. CMS (Schedule 1) Application Software licensing – Supply any and all estimate software application licensing costs.

B. IT Services:

- a. Professional Services (Schedule 2) – Supply any and all estimated professional services costs by implementation phase and activity in Section 1, as well as any and all assumed Court participation in Section 2.
- b. Maintenance and Support (Schedule 3) – Supply five years of costs for Maintenance and Support.

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 vendor'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 portion of proposals will be publicly opened on 10/1/12 at Kings Superior Court. At the time proposals are opened, each proposal will be checked for the presence or absence of the required proposal contents.

- Proposals that contain false or misleading statements may be rejected if, in the opinion of the Court, the information was intended to mislead the state regarding a requirement of the solicitation document.

- If a proposal fails to meet a material solicitation document requirement, the proposal may be rejected. A deviation is material to the extent that a response is not in substantial accord with solicitation document requirements. Material deviations cannot be waived. Immaterial deviations may also cause a proposal to be rejected.
- Cost sheets will be checked only if a proposal is determined to be otherwise qualified. All figures entered on the cost sheets must be clearly legible.
- During the evaluation process, the Court may require a vendor's representative to answer questions with regard to the vendor's proposal. Failure of a vendor to respond and demonstrate in a timely manner that the claims made in its proposal are, in fact, true may be sufficient cause for deeming a proposal nonresponsive.
- A vendor is eligible for a total of 100 points for the written proposal.
- Written proposals will be evaluated by the Court per the following selection criteria and weighting:

Category	Factors		Total Possible Points
Purchase Price	Overall Cost, including any ongoing support and maintenance that may be required by the Court or its agents	Total Score	50
Meeting Business Requirements and Deployment Services deliverables	Degree to which the vendor's proposed solution meets the functional and technical requirements	Total Score	30
Experience and Qualifications	Level of vendors experience, qualifications, and success rate of implementing proposed product and services	Total Score	5
Technical Support and Maintenance	Degree that technical support and maintenance will be provided and availability and deployment of version updates	Total Score	10
Changes/Exceptions to Standard Terms and Conditions	Degree of impact of exceptions to the Standard Terms and Conditions	Total Score	5

10.0 FINALISTS PRESENTATIONS (SOLUTIONS DEMONSTRATIONS AND INTERVIEWS)

The Court may conduct interviews with vendors 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 vendors for any costs incurred in traveling to or from the interview location. The Court will notify eligible vendors regarding interview arrangements.

11.0 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).

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

12.0 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). Failure of a vendor to comply with the protest procedures set forth in that chapter will render a protest inadequate and nonresponsive, and will result in rejection of the protest. The deadline for the Court to receive a solicitation specifications protest is 9/4/12. Protests should be sent to:

Kings Superior Court
Attn: Sandy Salyer
1426 South Drive
Hanford, CA 93230