

REQUEST FOR PROPOSALS

JUDICIAL COUNCIL OF CALIFORNIA

REGARDING:

**PROPOSALS TO PROVIDE STATEWIDE TRANSLATION
SERVICES**

RFP: CFCC-02-16-LV

PROPOSALS DUE:

APRIL 7, 2016

NO LATER THAN APRIL 7, 2016 3:00 P.M. PACIFIC TIME

1.0 BACKGROUND INFORMATION

- 1.1 The Judicial Council of California, chaired by the Chief Justice of California, is the chief policy-making body of the California judicial system. 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. Staff to the Judicial Council assists both the Council and its chair in performing their duties.

The majority of cases in the California courts begin in one of the fifty-eight (58) trial or superior courts that reside in each of the state's 58 counties. As used within this RFP, the term "trial court" is used synonymously with superior court.

In order to gain economies of scale, to standardize terms and conditions for similar purchases through the judicial branch, and to standardize the purchase of equipment, the Judicial Council solicits statewide master agreements for the benefit of judicial branch entities.

The Judicial Council works to increase access to justice by providing forms and information in Plain Language English and in languages other than English. The following website is provided as a reference:

[http://www.couhttp://www.courts.ca.gov/partners/53.htm#transforms](http://www.courts.ca.gov/partners/53.htm#transforms)

- 1.2 The Center for Families, Children and the Courts (CFCC) is dedicated to improving the quality of justice and services to meet the diverse needs of children, youth, and families including self-represented litigants who have limited English proficiency (LEP). The CFCC works to maximize the effectiveness of court services and forms, increase public access and promote court services to the legal community and the public through the development of educational content, including web content, for dissemination to self-represented litigants, including LEP court users.

The Judicial Council is responsible for preparation and modification of Judicial Council forms for use by the courts, attorneys and the public. It provides foreign language versions of forms and information sheets for educational purposes and ensures that foreign language versions of forms are modified in tandem with their English counterparts.

2.0 DESCRIPTION OF SERVICES AND DELIVERABLES

- 2.1 The Judicial Council seeks to provide translation services for the State of California’s judicial branch. The Judicial Council, on behalf of the fifty-eight (58) Superior Courts of California, the California Appellate Courts, which include the Supreme Court of California, and the Judicial Council staff (hereafter collectively referred to as “Purchasing Group,” and individually, a “member of the Purchasing Group” or “Purchasing Group Member”), is requesting proposals from highly qualified proposers with expertise in providing translation and formatting services on a statewide basis.
- 2.2 The proposer will provide expertise in translating, formatting, and field testing of foreign language forms; translating and formatting of foreign legal documents and contracts, translation and formatting of posters, brochures and other informative leaflets/notices and websites/selected web pages, translating and formatting of correspondence, and/or the conversion of technical or complex forms into “Plain Language English.”
- 2.3 Under the Master Agreement, any Purchasing Group Member can establish a purchase order with the successful proposer for the provision of translation services. There is no guarantee of any minimum quantity of purchase orders to be initiated by any Purchasing Group Member from any Master Agreement that may result from this RFP.
- 2.4 The translation services specifications and related requirements are set forth in Attachment 2: Contract Terms and Conditions.

3.0 TIMELINE FOR THIS RFP

The Judicial Branch Entity (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	March 21, 2016
Deadline for questions	March 28, 2016 5:00 pm Pacific Time
Questions and answers posted (<i>estimate only</i>)	March 30, 2016
Latest date and time proposal may be submitted	April 7, , 2016 3:00 PM Pacific Time
Evaluation of proposals (<i>estimate only</i>)	April 14, 2016
Anticipated interview dates (<i>estimate only</i>)	April 19, 2016

EVENT	DATE
Notice of Intent to Award (<i>estimate only</i>)	May 5, 2016
Negotiations and execution of contract (<i>estimate only</i>)	May 25, 2016
Contract start date (<i>estimate only</i>)	June 1, 2016
Contract end date (<i>estimate only</i>)	June 30, 2018

4.0 RFP ATTACHMENTS

The following attachments are included as part of this RFP:

ATTACHMENT	DESCRIPTION
Attachment 1: Administrative Rules Governing RFPs (Non-IT Services)	These rules govern this solicitation. Proposers shall follow the rules set forth in this attachment in preparing their proposals.
Attachment 2: Contract Terms and Conditions	This attachment contains Terms and Conditions, Special Provisions, Payment Provisions, Work to be Performed Scope of Work for this RFP.
Attachment 3: Proposer's Acceptance of Terms and Conditions	On this form, Proposers must indicate acceptance of the Terms and Conditions or identify exceptions to the Terms and Conditions.
Attachment 4: General Certifications Form	The Proposer must complete this form and submit it with their proposal.
Attachment 5: Darfur Contracting Act Certification	The Proposer must complete this form and submit it with their proposal.
Attachment 6: Payee Data Record Form	This form contains information the Judicial Council requires in order to process payments and must be submitted with the proposal.
Attachment 7: Pricing Form	This form contains the cost information required from the Proposer.
Attachment 8: DVBE Declaration	The Proposer must complete this form and submit it with their proposal. If proposer wishes to qualify for the DVBE incentive.

5.0 PAYMENT INFORMATION

- 5.1 The Judicial Council intends to award one (1) master agreement ("Master Agreement") with an initial term of two (2) years, commencing on the Effective Date set forth on the Standard Agreement coversheet with three (3) one-year options to extend the term, which option(s) may be exercised by the Judicial

Council in its sole discretion any time prior to the expiration of the initial term or any option term.

- 5.2 The payment specifications and related requirements of the Master Agreement are set forth in Attachment 2: Contract Terms and Conditions.

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 the following manner:

- a. The Proposer must submit **one (1) original and seven (7) copies** of the proposal. The original must be signed by an authorized representative of the Proposer. The original proposal (and the copies thereof) must be submitted to the Judicial Council in a single sealed envelope. The Proposer must write the RFP title and number on the outside of the sealed envelope.
- b. The Proposer must submit an electronic version of the entire proposal on CD-ROM or 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:

Nadine McFadden
RFP #CFCC-02-16-LV
Judicial Council of California
455 Golden Gate Avenue, 6th Floor
San Francisco, CA 94102-3688

- 6.4 Late proposals will not be accepted.

- 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 Proposal. The following information must be included in the proposal. A proposal lacking any of the following information may be deemed non-responsive.
- a. The proposer must prepare a cover letter on the proposer's business letterhead to accompany the proposal. The purpose of this letter is to transmit the proposal; therefore, it should be brief. The letter must be signed by an individual who is authorized to bind his or her organization to all statements, including services and prices, contained in the proposal. The cover letter must state who the proposed prime contractor is, name the proposed subcontractors, and provide proposer's point of contact, including the following information:

The Proposer's name, address, telephone and fax numbers, and federal tax identification number. Note that if the 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 the Proposer's designated representative for purposes of this RFP.
- c. A short narrative description of the proposer's organization, including organization charts and indication of company officers where applicable. The description should include the total number of years in business and number of years providing services similar in size and scope to those requested in this RFP.
- 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. If subcontractors are proposed for this RFP, a description of the services provided by the subcontractor(s), their location, and the proposer's contract management process and selection criteria for subcontractors. State the percentage of work performed by subcontractors (non-employees). Indicate "no outsourcing for this language," or "do not offer translation for this language" as applicable:

- Plain language (English)
- Armenian (Eastern)
- Khmer
- Cantonese
- Chinese Simplified
- Chinese Traditional
- Farsi

- Hmong
- Korean
- Mandarin
- Punjabi
- Russian
- Spanish
- Tagalog
- Vietnamese

- f. A project plan that describes how Proposer intends to implement the project and manage the work. Specifically, Proposer must provide the following information regarding its organization's methodologies and approach to the following:
- i. Communication process with Members of the Purchasing Group;
 - ii. Process to establish an account for a member of the Purchasing Group that may wish to purchase services under any Master Agreement that may result from this RFP, including how the individual accounts would be linked together and identified as a statewide account associated with the Master Agreement;
 - iii. Process for ordering, including the various options available (e.g. Internet access, telephonic, facsimile, etc.), including the ordering and acknowledgment requirements. See Attachment 2, Work To Be Performed, Exhibit D, paragraph 3, Ordering Process.
 - iv. Level of customer service that will be provided, including procedures that will ensure consistency, as well as procedures for problem escalation and resolution. See Attachment 2, Work To Be Performed, Exhibit D, paragraph 4, Customer Service. The description should include, but is not limited to: telephone customer service and onsite service organizational structure, contact process (phone, email, fax, etc.), follow-up process, internal procedures to track customer service contact and resolution, escalation process to resolve outstanding customer service and maintenance issues, and remedies for not meeting the committed response time for a member of the Purchasing Group;
 - v. Program evaluation (on-time delivery, customer satisfaction and issue resolution); and
 - vi. Proposer's ability to provide quarterly reports. See Attachment 2, Work To Be Performed, Exhibit D, paragraph 5, Reports.
- g. Knowledge and Experience.

Proposer should include in its proposal the following:

- i. The approximate amount of business it received in the past year for translating and formatting all types of documents (not just legal) from English into the languages listed above;
 - ii. A description of its knowledge and experience of translating, including translating legal terminology and concepts, and formatting documents from English to the specified target languages for proposer's customers;
 - iii. A description of its knowledge and experience of translating, including translating legal terminology and concepts, and formatting documents from English to the specified target languages for public sector customers; and
 - iv. A description of proposer's ability to meet scope requirements in Attachment 2: Exhibit D, Scope Of Work.
- h. Quality of Work and Quality Assurance

Proposer should include the following information regarding its work quality and quality assurance process:

- i. A list of key personnel who will manage the services provided. This list must identify a team leader and describe his/her experience in this capacity as well as this individual's experience in providing translation services;
- ii. A description of the proposed project and team organization. Identify key employees and/or supervisors, designated contact persons for the Purchasing Group Members(s) and who will be in direct communication concerning requested services;
- iii. A description of its quality assurance process;
- iv. A list of certifications, credentials and experience of staff members, contractors and subcontractors who would perform the work, including copies of all certifications and/or credentials. Indicate the languages each person would translate; and
- v. A description of field-testing protocols, including how competency is measured and how improvements are incorporated and retested.
- vi. It is the intent of this RFP and any resulting agreement to promote consistency between translations of similar documents (e.g. consistency of translation between legal forms; consistency between brochures, etc.).

Contractor must describe the methodology that will be used to promote such consistency.

i. Samples of prior translation and formatting work.

Proposer must provide samples of forms, brochures or pamphlets containing translations and/or form design work in various languages performed by the Proposer. Each sample must be numbered. Proposer must provide a list of the samples in the RFP response and indicate whether the sample is of general translation, legal translation and/or formatting (a sample can demonstrate more than one type of work). Proposer should include any explanatory comments about the sample.

j. Software capabilities.

Proposer must include a description of the following:

- i. The organization's ability to provide services in Microsoft Word, Microsoft Excel, Microsoft PowerPoint, Adobe PDF (read and create) and Adobe LiveCycle;
- ii. The organization's ability to provide translated documents in native format, convert translated documents into PDF format, and receive and transmit original and final versions electronically via email or web portal; and
- iii. Any additional software Proposer utilizes and the languages such software supports (if there are no restrictions as to what types of languages are supported for the named software, please state "supports all languages"). Include any additional comments or descriptions of software used.

k. Acceptance of the Terms and Conditions.

- i. On Attachment 3, 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.
- ii. If exceptions are identified, the Proposer must also submit (i) a red-lined version of the Terms and Conditions that implements all proposed changes, and (ii) a written explanation or rationale for each exception and/or proposed change.

l. Certifications, Attachments, and other requirements.

- i. The Proposer must complete the General Certifications Form (Attachment 4) and submit the completed form with its proposal.

- ii. The Proposer must complete the Darfur Contracting Act Certification (Attachment 5) and submit the completed certification with its proposal.
- iii. If Proposer is a California corporation, limited liability company (“LLC”), limited partnership (“LP”), or limited liability partnership (“LLP”), proof that Proposer is in good standing in California. If Proposer is a foreign corporation, LLC, LP, or LLP, and Proposer conducts or will conduct (if awarded the contract) intrastate business in California, proof that Proposer is qualified to do business and in good standing in California. If Proposer is a foreign corporation, LLC, LP, or LLP, and Proposer does not (and will not if awarded the contract) conduct intrastate business in California, proof that Proposer is in good standing in its home jurisdiction.
- iv. Copies of the Proposer’s (and any subcontractors’) current business licenses, professional certifications, or other credentials.
- v. A completed copy of Attachment 8: DVBE Declaration if proposer wishes to qualify for the DVBE incentive.

7.2 Cost Proposal. The following information must be included in the cost proposal.

- i. A completed copy of Attachment 7: Pricing Form.

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 Judicial Council reserves the right to negotiate extensions to this period.

9.0 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 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.

If a contract will be awarded, the Judicial Council will post an intent to award notice at <http://www.courts.ca.gov/rfps.htm>.

CRITERION	MAXIMUM NUMBER OF POINTS	REFERENCED RFP SECTIONS
Knowledge and Experience	38	Section 7.1 (c through g) Attachment 2, Exhibit B, Paragraph 13
Quality of Work and Quality Assurance	20	Section 7.1 (h) Attachment 2, Exhibit B, Paragraph 17
Samples of Prior Translation and Formatting Work	15	Section 7.1 (i.)
Proposed Fees	10	Section 7.2 Attachment 7
Software Capabilities	4	Section 7.1 (j), Attachment 2 Exhibit D, Paragraph 2 (D)
Acceptance of Contract Terms and Conditions	10	Attachment 3, 7.1 (k)
DVBE - Disabled Veteran's Business Enterprise	3	Section 12.0 Attachment 8 DVBE Declaration

10.0 INTERVIEWS

The Judicial Council 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 interviews may be conducted in person or by phone. If conducted in person, interviews will likely be held at the Judicial Council's offices. The Judicial Council will not reimburse Proposers for any costs incurred in traveling to or from the interview location. The Judicial Council will notify eligible Proposers regarding interview arrangements.

11.0 CONFIDENTIAL OR PROPRIETARY INFORMATION

PROPOSALS ARE SUBJECT TO DISCLOSURE PURSUANT TO APPLICABLE PROVISIONS OF THE CALIFORNIA PUBLIC CONTRACT CODE AND RULE 10.500 OF THE CALIFORNIA RULES OF COURT. The Judicial Council 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 will be disclosed in response to applicable public records requests. Such disclosures will be made regardless of whether the proposal (or portions thereof) is marked "confidential," "proprietary," or otherwise, and regardless of any statement in the proposal (a) purporting to limit the Judicial Council's right to disclose information in the proposal, or (b) requiring the Judicial Council 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.

Proposers are accordingly cautioned not to include confidential, proprietary, or privileged information in proposals.

12.0 DISABLED VETERAN BUSINESS ENTERPRISE INCENTIVE

- 1.1 Qualification for the DVBE incentive is not mandatory. Failure to qualify for the DVBE incentive will not render a proposal non-responsive.
- 1.2 Eligibility for and application of the DVBE incentive is governed by the Judicial Council's DVBE Rules and Procedures. Proposer will receive a DVBE incentive if, in the Judicial Council's sole determination, Proposer has met all applicable requirements. If Proposer receives the DVBE incentive, a number of points will be added to the score assigned to Proposer's proposal. The number of points that will be added is specified in Section 9 above.
- 1.3 To receive the DVBE incentive, at least 3% of the contract goods and/or services must be provided by a DVBE performing a commercially useful function. Or, for solicitations of non-IT goods and IT goods and services, Proposer may have an approved Business Utilization Plan ("BUP") on file with the California Department of General Services ("DGS").
- 1.4 If Proposer wishes to seek the DVBE incentive:
 - 1.4.1 Proposer must submit with its proposal a DVBE Declaration (Attachment 8) completed and signed by each DVBE that will provide goods and/or services in connection with the contract. If Proposer is itself a DVBE, it must complete and sign the DVBE Declaration. If Proposer will use DVBE subcontractors, each DVBE subcontractor must complete and sign a DVBE Declaration. NOTE: The DVBE Declaration is not required if Proposer will qualify for the DVBE incentive using a BUP on file with DGS.
 - 1.4.2 Proposer must complete and submit with its proposal the Bidder Declaration (Attachment 9). Proposer must submit with the Bidder Declaration all materials required in the Bidder Declaration.
- 1.5 Failure to complete and submit these forms as required will result in Proposer not receiving the DVBE incentive. In addition, the Judicial Council may request additional written clarifying information. Failure to provide this information as requested will result in Proposer not receiving the DVBE incentive.
- 1.6 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 Judicial Council's Small Business Preference Procedures for the Procurement of Information Technology Goods and Services.

- 1.7 If Proposer receives the DVBE incentive: (i) Proposer will be required to complete a post-contract DVBE certification if DVBE subcontractors are used; (ii) Proposer must use any DVBE subcontractor(s) identified in its proposal unless the Judicial Council 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 MISREPRETATION IN CONNECTION WITH THE DVBE INCENTIVE IS A MISDEMEANOR AND IS PUNISHABLE BY IMPRISONMENT OR FINE, AND VIOLATORS ARE LIABLE FOR CIVIL PENALTIES. SEE MVC 999.9.

13.0 PROTESTS

Any protests will be handled in accordance with Chapter 7 of the Judicial Branch Contracting Manual (see www.courts.ca.gov/documents/jbcl-manual.pdf). Failure of a 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 Judicial Council to receive a solicitation specifications protest is the proposal due date. Protests must be sent to:

Attention: Nadine McFadden
RFP No: CFCC-02-16-LV
Judicial Council of California
455 Golden Gate Avenue, 6th Floor
San Francisco, CA 94102-3688