

REQUEST FOR PROPOSALS

JUDICIAL COUNCIL OF CALIFORNIA

REGARDING:

Design and Upgrade of Television Studio

RFP NUMBER: CJER-18-44-RB

PROPOSALS DUE:

April 20, 2018 NO LATER THAN 3:00 P.M. PACIFIC TIME

1.0 BACKGROUND INFORMATION

- 1.1 The Judicial Council of California (“Judicial Council”), chaired by the Chief Justice of California, is the chief policy making agency of the California judicial system, and includes the superior courts, appellate courts and state supreme court. The California Constitution directs the Judicial 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 Judicial Council also adopts rules for court administration, practice and procedure, and performs other functions prescribed by law. The Judicial Council is comprised of thirty (30) members representing the judicial system as well as the State Bar and both houses of the State Legislature.
- 1.2 The Center for Judicial Education & Research (CJER) is an Office within the Judicial Council. CJER creates educational courses and products for Judicial Officers and Court Staff training. CJER has a television studio with an adjacent control room, which is located in San Francisco. There are also two additional studio spaces, which can be used via existing triax infrastructure. The studio is equipped with three studio cameras with Teleprompters. The control room is equipped with a video switcher, character generator, closed-captioning encoder, monitors, vector scope and waveform monitors, playback and record decks, an audio mixing console and teleprompting computer. In the past, the studio has been used for live broadcasts but is currently used as a video and audio recording studio. Please refer to attached Exhibit A for the List of Installed Equipment to be Upgraded.

2.0 DESCRIPTION OF GOODS AND/OR SERVICES

- 2.1 The Judicial Council seeks goods and the services from an entity with expertise in designing and installing a high definition television studio while integrating it with the existing television studio. Proposer must have completed at a minimum of three (3) similar projects in which it built a professional high definition multi-camera television studio. Proposers will assess the need, develop a design for the system and equipment, purchase new equipment, install new equipment, integrate new equipment with existing equipment, test and troubleshoot newly installed systems, train staff, and provide a warranty for at least one (1) year. Please refer to Exhibit B attached herewith-containing Scope of Work, Work to be Performed, Deliverables, Contractor’s Responsibilities and Judicial Council Project Manager’s Responsibilities.

3.0 TIMELINE FOR THIS RFP

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

EVENT	DATE
RFP issued	April 9, 2018
Deadline to submit questions at solicitations@jud.ca.gov	April 16, 2018, 12pm PST
Questions and answers posted	April 17, 2018
Pre-Proposal Conference and Walkthrough (Highly Recommended)	April 18, 2018, 10:30am PST
Latest date and time proposal may be submitted	April 20, 2018 3pm PST
Evaluation of proposals (<i>estimate only</i>)	April 23-27, 2018
Public opening of cost portion of proposals	April 30, 2018
Notice of Intent to Award (<i>estimate only</i>)	May 4, 2018
Negotiations and execution of contract (<i>estimate only</i>)	May 7-14, 2018
Contract start date (<i>estimate only</i>)	May 15, 2018
Contract end date (<i>estimate only</i>)	June 30, 2019

4.0 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: Judicial Council Standard Terms and Conditions	If selected, the person or entity submitting a proposal (the “Proposer”) must sign a Judicial Council Standard Form agreement containing these terms and conditions (the “Terms and Conditions”).
Attachment 3: Proposer’s Acceptance of Terms and Conditions	<p>On this form, the Proposer must indicate acceptance of the Terms and Conditions or identify exceptions to the Terms and Conditions that are not Minimum Terms provisions.</p> <p>Note: A material exception to a Minimum Term will render a proposal non-responsive.</p> <p>The following provisions within the Terms and Conditions are minimum contract terms and conditions (“Minimum Terms”) if applicable: Qualification in California, Nondiscrimination, National Labor Relations Board, Expatriate Corporations, Sweatshop Labor, Child Support Compliance Act, Iran Contracting Act, Termination Due to Nonavailability of Funds, Loss Leader, Antitrust Claims, Recycled Products/Post-Consumer Material, Priority Hiring, DVBE Commitment, Small Business Preference Commitment, Union Activities and State Auditor Audit Provision.</p>
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 Judicial Council requires in order to process payments and must be submitted with the proposal.
[Only for solicitations of \$100,000 or more] Attachment 7: Unruh and FEHA Certification	The Proposer must complete the Unruh Civil Rights Act and California Fair Employment and Housing Act Certification.
Attachment 8: Bidder DVBE Declaration	The Proposer must complete this form only if it wishes to claim the DVBE preference associated with this solicitation.
Attachment 9: DVBE Declaration	The Proposer must complete this form only if it wishes to claim the DVBE preference associated with this solicitation.

5.0 PAYMENT INFORMATION

The Judicial Council will pay the Contractor through progress payments.

- After the completion and the Judicial Council's acceptance of Deliverable #1, the Contractor will be paid 15%.
- After the completion and the Judicial Council's acceptance of Deliverable #2, the Contractor will be paid 35%.
- After the completion and the Judicial Council's acceptance of Deliverable #3, the Contractor will be paid 50%.

The Judicial Council will not reimburse expenses. There will be penalties for late or inadequate performance. The estimated amount to perform all work and procure all equipment is between \$250,000 and \$320,000.

6.0 HIGHLY RECOMMENDED PRE-PROPOSAL WALKTHROUGH

The Judicial Council will hold a pre-proposal walkthrough on the date identified in the timeline above. The pre-proposal walkthrough will be held at the Judicial Council offices at:

Lower Level, Room B431 and B433
Judicial Council Boardroom Control Room, Third Floor
455 Golden Gate Avenue
San Francisco, CA 94102
Contact: Catherine Lam
Contact email: Catherine.Lam@jud.ca.gov

Attendance at the pre-proposal conference is **HIGHLY RECOMMENDED**. Each Proposer must be certain to check in at the pre-proposal walkthrough, as the attendance list will be used to ascertain entitlement to points.

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 five (5) copies** of the non-cost portion of the proposal. An authorized representative of the Proposer must sign the original. The original non-cost portion of the proposal (and the copies thereof) must be submitted to the Judicial Council in a single sealed envelope, separate from the cost portion. 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 five (5) copies** of the cost portion of the proposal. An authorized representative of the Proposer must sign the original. The original cost portion of the proposal (and the copies thereof) must be submitted to the Judicial Council 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 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.
- 7.3 Proposals must be delivered by the date and time listed on the coversheet of this RFP to:

Bid Desk
RFP Number: CJER-18-44-RB
Judicial Council of California
455 Golden Gate Avenue, 6th Floor
San Francisco, CA 94102

- 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. 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. Names, addresses, and telephone numbers of a minimum of four (4) clients for whom the Proposer has provided similar goods. The Judicial Council may check references listed by the Proposer.
- d. For each key staff member who will work on the project: a resume describing the individual's background and experience, as well as the individual's ability and experience in conducting the proposed activities.
- e. For the firm: a list of at least two (2) projects similar in scope and size demonstrating experience with television studio integration and installation services as a core business function for a period of no less than five(5) years. Provide contact name and telephone number for one person at each project. Show examples of the completed project or arrange for a site visit where the project was completed.

Proposed method to complete the work plan, including needs assessment questions, a proposed functional drawing based upon information provided during the walkthrough and in the attachments, a narrative description of the Work to Be Performed, a draft project plan and timeline.

- f. Model number(s), specifications, or other description of the goods the Proposer proposes to supply to the Judicial Council. A preliminary equipment list showing the type of equipment that would be used in a production studio. The final list of equipment will be identified pursuant to the assessment and Design phase of the project.
- g. 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 (a) a redlined version of the Terms and Conditions that implements all proposed changes, and (b) a written explanation or rationale for each exception and/or proposed change.
- h. 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. 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.
- iii. 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.
- iv. Copies of the Proposer's (and any subcontractors') current business licenses, AVIXA certifications or other professional certifications, or other such industry credentials.
- v. Proposers must submit proof of completion or performance of a minimum of three (3) similar projects in which they built a professional high definition multi-camera television studio.
- vi. Proof of financial solvency or stability (e.g., balance sheets and income statements).
- vii. *[for solicitations of \$100,000 or more]* 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.

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

A. Equipment:

- i. For each component and part you are proposing to be procured, using the Excel spreadsheet Attachment 7-a, provide the product description, manufacturer, model, serial number, quantity, unit price, extended amount, taxes, delivery costs and not to exceed total.

B. Integration Services:

- i. Referring to Exhibit B, for Deliverables 1, 2, and 3, the Proposer is to provide cost elements, including labor, benefits, expenses, markups, overhead, and profits, necessary to arrive at each firm fixed priced Deliverable.
- ii. Referring to Exhibit B, provide your not to exceed total for Deliverables 1, 2, and 3.
- iii. For each Deliverable, provide a full explanation of all budget line items in a narrative entitled "Justification."

C. Referring to Exhibit B, provide a not to exceed total for all Deliverables.

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

10.0 EVALUATION OF PROPOSALS

The cost portion of proposals will be publicly opened at the date and time noted in Section 3.0 at:

Judicial Council of California
455 Golden Gate Avenue, 3rd Floor
San Francisco, CA 94102

Proposers need to send a query on the exact room or office number to *solicitations@jud.ca.gov*.

The Judicial Council 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 www.courts.ca.gov.

CRITERION	MAXIMUM NUMBER OF POINTS
Quality of work plan submitted, including the timeline.	9
Experience on similar assignments	15
Cost	50
Credentials of staff to be assigned to the project	7
Acceptance of the Terms and Conditions	7
References	7
Walkthrough Attendance	2
DVBE	3

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 disclosure 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

Qualification for the DVBE incentive is not mandatory. Failure to qualify for the DVBE incentive will not render a proposal non-responsive.

Eligibility for and application of the DVBE incentive is governed by the JBE’s DVBE Rules and Procedures. Proposer will receive a DVBE incentive if, in the JBE’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 10.0 above.

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").

If Proposer wishes to seek the DVBE incentive:

1. Proposer must complete and submit with its proposal the Bidder Declaration (Attachment 7). Proposer must submit with the Bidder Declaration all materials required in the Bidder Declaration.
2. 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.

Failure to complete and submit these forms as required will result in Proposer not receiving the DVBE incentive. In addition, the JBE may request additional written clarifying information. Failure to provide this information as requested will result in Proposer not receiving the DVBE incentive.

If this solicitation is for IT goods and services, the application of the DVBE incentive may be affected by application of the small business preference. For additional information, see the JBE's Small Business Preference Procedures for the Procurement of Information Technology Goods and Services.

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 JBE approves in writing the substitution of another DVBE; and (iii) failure to meet the DVBE commitment set forth in its proposal will constitute a breach of contract.

FRAUDULENT MISREPRESENTATION IN CONNECTION WITH THE DVBE INCENTIVE IS A MISDEMEANOR AND IS PUNISHABLE BY IMPRISONMENT OR FINE, AND VIOLATORS ARE LIABLE FOR CIVIL PENALTIES. SEE MVC 999.9.

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 Judicial Council'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 Judicial Council'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 Judicial Council 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 MISREPRETATION IN CONNECTION WITH THE SMALL BUSINESS PREFERNCE 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 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:

The Contracts Manager
Judicial Council of California
455 Golden Gate Avenue, 6th floor
San Francisco, CA 94102