

# Judicial Council of California

#### ADMINISTRATIVE OFFICE OF THE COURTS

#### FINANCE DIVISION

455 Golden Gate Avenue • San Francisco, California 94102-3688 Telephone 415-865-7960 • Fax 415-865-4325 • TDD 415-865-4272

TANI CANTIL-SAKAUYE Chief Justice of California Chair of the Judicial Council JODY PATEL
Interim Administrative Director of the Courts

CURT SODERLUND
Interim Chief Deputy Director

ZLATKO THEODOROVIC Director, Finance Division

TO: POTENTIAL PROPOSERS

**FROM:** Administrative Office of the Courts

Fiscal Services Office

**DATE:** November 26, 2012

SUBJECT/PURPOSE OF

**MEMO:** 

ADDENDUM #1 to REQUEST FOR PROPOSALS/

The purpose of this addendum is to replace the original RFP #FIN032811CK in its entirety. Proposals are now sought to provide limited telephonic interpreter services

for California courts.

**ACTION REQUIRED:** You are invited to review and respond to the attached Request for Proposal ("RFP"):

Project Title: Statewide Limited Telephonic Interpreter Services

RFP Number: FIN032811CK

PRE-PROPOSAL BIDDERS'

**CONFERENCE:** 

There will be no pre-proposal bidders' conference.

**PROPOSAL DUE DATE:** Proposals must be received by March 8, 2013, no later than 1:00 p.m. PST.

SUBMISSION OF PROPOSAL:

Proposals must be sent to: Judicial Council of California Administrative Office of the Courts

Attn: Nadine McFadden RFP #FIN032811CK

455 Golden Gate Avenue San Francisco, CA 94102

QUESTIONS TO THE SOLICITATIONS

MAILBOX:

Questions regarding this RFP should be directed to solicitations@jud.ca.gov by

February 1, 2013, no later than 1:00 p.m. PST

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## 1.0 GENERAL INFORMATION

The Judicial Council of California ("Council"), chaired by the Chief Justice of California, is the chief policy making agency 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. The Administrative Office of the Courts (AOC) is the staff agency for the Council and assists both the Council and its chair in performing their duties.

The Superior Court system in California is comprised of fifty-eight trial courts, one in every county, with each one having one to fifty branches, located throughout the state. Trial courts provide a forum for resolution of criminal and civil cases under state and local laws. As used within this RFP, the term "Judicial Branch Entity or JBE" is used synonymously with superior and trial courts.

The AOC, at its sole discretion, reserves the right to accept or reject any or all of the items in the proposal, to award the contract in whole or in part to one or more Proposers, to make awards with or without negotiations to multiple Proposers, or to negotiate any or all items with multiple Proposers if it is deemed to be in the AOC's best interest. Moreover, the AOC reserves the right to make no selection if proposals are deemed by the AOC to be outside the fiscal constraints or against the best interests of the AOC.

The initial term of this Leveraged Purchasing Agreement is two (2) years, commencing on the Effective Date set forth on the Leveraged Purchasing Agreement Coversheet with three (3) one-year options to extend the term, which option(s) may be exercised individually or collectively by the AOC in its sole discretion any time prior to the expiration of the initial term or any option term. There will be no price increases during this initial term. If the AOC elects to extend the term of this Leveraged Purchasing Agreement, the AOC will use the proposed price adjustment factors applicable during the option period(s) and the price adjustments will be set forth in a written amendment to this Leveraged Purchasing Agreement. Any agreed-upon price adjustment may not exceed during any one (1) year option period the San Francisco Bay Area Consumer Price Index as published by the U.S. Bureau of Labor Statistics as detailed in the following website: http://www.bls.gov/.

# 2.0 PURPOSE OF THIS REQUEST FOR PROPOSALS (RFPs)

The purpose of this RFP is to secure the services of qualified interpreters to be deployed telephonically in the California Trial Courts. Use of telephonic interpreters shall be consistent with the law, including, but not limited to, the Trial Court Interpreter Employment and Labor Relations Act (Gov. Code, §§ 71800-71829) and applicable memoranda of understanding between the Court Interpreter Collective Bargaining Regions and recognized employee organizations.

The need for language services in California is pressing, and it is growing with the increasing racial and ethnic diversity of the state's population. Approximately 40% of California's population speaks a language other than English in the home. This includes over 200 languages and dialects. According to the US census, roughly 20% of Californians speak English less than "very well," which effectively excludes them from meaningful participation in a judicial proceeding without substantial language assistance. (All data are from the U.S. Census Bureau.)

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Language services are used at the public counters, self-help centers, and other program areas throughout the courts. In these non-courtroom locations, consecutive and slower interpretations may be acceptable, instead of the simultaneous and faster interpretations that are typically needed in courtroom proceedings. However the quality of the interpretation remains critical.

California's Government Code sections 68560-68566 directs the Judicial Council to adopt programs and standards to insure that qualified interpreters are provided in the courts. The Council is also responsible for identifying "designated" languages for which a certification (testing) program shall be established. Findings to support Judicial Council designation are based, in part, upon a study every five years of language and interpreter use and need in court proceedings. For all languages that are "nondesignated," the Council is responsible for establishing a program of registration.

The Judicial Council has designated for certification the following spoken languages: Arabic, Eastern Armenian, Western Armenian, Cantonese, Japanese, Khmer, Korean, Mandarin, Portuguese, Punjabi, Russian, Spanish, Tagalog and Vietnamese. Currently, candidates in languages *other than* Arabic, Eastern Armenian, Western Armenian, Cantonese, Japanese, Khmer, Korean, Mandarin, Portuguese, Punjabi, Russian, Spanish, Tagalog and Vietnamese are required to pass an English-only written exam and English oral proficiency exam and fulfill Judicial Council requirements in order to become a registered interpreter. (For more information, please visit http://www.courts.ca.gov/programs-interpreters.htm.)

The 2010 Language Need and Interpreter Use Study, authorized by the Judicial Council, provides detailed information pertaining to language use in California's superior courts from 2004-2008. The study reports that the top 17 languages by days of interpreter service were Spanish (167,744), Vietnamese (6,968), Korean (3,687), Mandarin (3,143), Russian (2,753), Eastern Armenian (2,493) Cantonese (2,117), Punjabi (2,083), Farsi (1,760), Tagalog (1,645), Hmong (1,523), Khmer (1,191), Laotian (861), Arabic (794), Japanese (655), Mien (570), and Portuguese (328). These statistics show the overwhelming predominance of Spanish as the most highly-needed language in the California courts, representing 83% of the interpreter service days for the 17 top languages. (To view the 2010 Language Need and Interpreter Use Study, see http://www.courts.ca.gov/documents/language-interpreterneed-10.pdf.)

In order to gain economies of scale, to standardize terms and conditions for similar purchases through the judicial branch, and to standardize equipment and protocols, the AOC solicits statewide leveraged purchasing agreements for the benefit of judicial branch entities.

## 3.0 TIMELINE FOR THIS RFP

RFP issued to http://www.court.ca.gov/reference/rfp/:	October 23, 2012
Addendum #1, revising RFP, issued to http://www.court.ca.gov/reference/rfp/:	November 26, 2012
Deadline For Questions to solicitations@jud.ca.gov	1:00 p.m., February 1, 2013
Questions and Answers Posted	February 14, 2013
Proposal Due Date and Time	1:00 p.m., March 8, 2013
Evaluation of Proposals (estimated)	March 8,- March 29, 2013

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Notice of Intent to Award (estimated)	March 29, 2013
Contract Negotiations and Execution (estimated)	April 2, 2013 – April 30, 2013
Contract Start Date (estimated)	May 1, 2013
Contract End Date (estimated)	April 30, 2015

3.1 The RFP and any addenda that may be issued will be available on the following website:

http://www.court.ca.gov/reference/rfp/

Proposers are solely responsible for checking the above website for all RFP documentation.

3.2 Proposal Submittal Address:

Nadine McFadden RFP# FIN032811CK Judicial Council of California Administrative Office of the Courts 455 Golden Gate Avenue San Francisco, CA 94102-3688

- 3.3 Request for Clarifications or Modifications
  - 3.3.1 Proposers interested in responding to this RFP may submit questions by e-mail only on procedural matters related to the RFP or requests for clarification or modification of the RFP document, including questions regarding <u>Attachment 4</u>, <u>Leveraged Purchasing Agreement General Conditions</u> to the Solicitations mailbox referenced below. If the Proposer is requesting a change, the request must set forth the recommended change and the Proposer's reasons for proposing the change.

Solicitations mailbox: solicitations@jud.ca.gov

- 3.3.2 All questions and requests for clarification or modification must be submitted by email to the Solicitations mailbox by no later than the date and time specified in the RFP Schedule in Section 3.0 of this RFP. Questions or requests submitted after the due date and time will not be answered.
- 3.3.3 All email submissions sent to the Solicitations mailbox MUST contain the RFP number and other appropriate identifying information in the email subject line. In the body of the e-mail, include paragraph numbers whenever references are made to content of this RFP. Failure to include the RFP number as well as other sufficient identifying information in the email subject line may result in the AOC taking no action on a Proposer's email submission.
- 3.3.4 Without disclosing the source of the question or request, the AOC will post a copy of the questions and the AOC's responses on the Court website at www.court.ca.gov.
- 3.3.5 If a Proposer's question relates to a proprietary aspect of its proposal and the question would expose proprietary information if disclosed to competitors, the Proposer may submit the question in writing, conspicuously marking it as "CONFIDENTIAL." With the question, the

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Proposer must submit a statement explaining why the question is sensitive. If the AOC concurs that the disclosure of the question or answer would expose proprietary information, the question will be answered, and the AOC will, consistent with the California Rules of Court and other applicable law, hold both the question and answer in confidence. If the AOC does not concur regarding the proprietary nature of the question, the question will not be answered in this manner and the Proposer will be notified.

## 4.0 RFP ATTACHMENTS

- 4.1 Included as part of this RFP are the following attachments:
  - 4.1.1 Attachment 1 Administrative Rules Governing Request for Proposals.

    Proposers shall follow the rules set forth in Attachment 1, Administrative Rules Governing Request for Proposals in preparation and submittal of their proposals.
  - 4.1.2 Attachment 2 Work to be Performed. The product specifications and related service requirements are set forth in Attachment 2.
  - 4.1.3 Attachment 3 Payment Provisions. Proposers must complete Attachment 3 and submit with their pricing proposal.
  - 4.1.4 Attachment 4 Leveraged Purchasing Agreement General Conditions. Contracts with successful Proposers will be signed by the parties on a State of California Leveraged Purchasing Agreement and will include terms appropriate for this project. General Conditions typical for the requested products and services are attached as Attachment 4, Leveraged Purchasing Agreement General Conditions.
  - 4.1.5 Attachment 5 Vendor's Acceptance of the RFP's Contract Terms. Proposers must either indicate acceptance of the General Conditions, as set forth in Attachment 4, Leveraged Purchasing Agreement General Conditions, or clearly identify exceptions to Attachment 4, Leveraged Purchasing Agreement General Conditions as set forth in this Attachment 5, Vendor's Acceptance of the RFP's Contract Terms. If exceptions are identified, the Proposers must also submit (i) a red lined version of Attachment 4 Leveraged Purchasing Agreement General Conditions that clearly track proposed changes to this Attachment and (ii) written explanation to indicate how each proposed change will benefit the AOC and/or any JBE. Note: A material exception to a Minimum Term will render a proposal non-responsive.
  - 4.1.6 Attachment 6 Certification Regarding Debarment and Suspension. Proposers must complete and submit this Attachment 6, with their proposal.
  - 4.1.7 Attachment 7 Payee Data Record Form. The AOC is required to obtain and keep on file, a completed Payee Data Record for each Proposer prior to entering into a contract with that Proposer. Therefore, Proposer's proposal must include a completed and signed Payee Data Record Form, set forth as Attachment 7.
  - 4.1.8 Attachment8 JBE Address List.
  - 4.1.9 Attachment 9 Title Ten Rules of Court 10.103.

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4.1.10 Attachment 10 – Title Ten Rules of Court 10.104.

#### 5.0 SPECIFICS OF A RESPONSIVE TECHNICAL PROPOSAL

The following information shall be included as the technical portion of the proposal:

5.1 Proposers must submit the following documents in their technical proposal in the following order. Proposals must reference each paragraph/subparagraph number along with the proposer's response as outlined below.

## 5.1.1 Cover letter.

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 firm to all statements, including services and prices, contained in the proposal. The cover letter must state who the proposer is, provide proposer's point of contact, including name, physical and electronic addresses, and telephone and facsimile numbers.

## 5.1.2 Proposer information.

On a separate page(s) the following information shall be included:

- a. A short narrative description of the proposer's organization, including organization charts and indication of company officers where applicable.
- b. Total number of years in business.
- c. Number of years providing products and services similar in size and scope to those requested in this RFP.
- d. Provide the names, addresses, contacts and telephone numbers of three (3) of your present customers of like size and requirements for whom you are providing telephonic interpretation services.
- e. Annual contract value of the proposer's three (3) largest contracts for similar services in the past three (3) years.
- f. An audited profit and loss statement and balance sheet for the proposer's last three (3) fiscal years.
- g. Significant transactional events in the past five (5) years such as: bankruptcies, mergers, acquisitions and initial public offerings.
- h. Complete and submit Attachment 4 Payee Data Record Form. Note that if an individual or sole proprietorship, using a social security number for tax recording purposes, is awarded a contract, the social security number will be required prior to finalizing a contract.
- i. Current Insurance Certificates and Business Licenses.

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# 5.1.3 Qualification and Experience

- a. Provide a description of the proposer's experience in providing the services required in this RFP, preferably within the State of California. Description should be no longer then three (3) pages.
- b. Provide current representative sample resumes for interpreters that reflect experience and credentials of interpreters to be used in serving the JBEs. If staff has not been hired for these positions, include job descriptions that clearly describe the positions' essential functions and employment standards. Interpreters must adhere to Rules of the Court 10.103, Attachment 9, and 10.104, Attachment 10.
- c. Provide detailed descriptions of minimum testing, training, and continuing education requirements for all interpreters and language specialists. Description should include certification or qualification requirements, initial and ongoing training, and mechanisms for monitoring performance. To the extent possible, interpreters in designated languages should be certified by the state of California in accordance with Government Code sections 68560-68566. Descriptions of minimum requirements should be provided for interpreters or language specialists of designated languages used for non-mandated proceedings, as well as minimum requirements for interpreters or language specialists in nondesignated languages.
- 5.1.4 Proposer's Acceptance of this RFP's Attachment 4 Leveraged Purchasing Agreement General Conditions.
- 5.1.5 Complete and submit Attachment 5, Vendor's Acceptance of the RFP's Contract Terms. Also, if changes are proposed, submit a version of Attachment 4 Leveraged Purchasing Agreement General Conditions with all tracked changes, as well as written justification supporting any such proposed changes and how these changes will benefit the AOC and/or any JBE.
  - 5.1.5.1 Note: A material exception to a Minimum Term will render a proposal non-responsive.
- 5.1.6 Complete and submit <u>Attachment 6</u>, <u>Certification Regarding Debarment and Suspension</u>.
- 5.1.7 Complete and submit <u>Attachment 7, Payee Data Record</u>, or provide a copy of the form previously submitted to the AOC.

# 6.0 SPECIFICS OF A RESPONSIVE COST PROPOSAL

The following information shall be included as the cost portion of the proposal:

6.1 Reasonableness of Cost Projections.

Proposers must submit a completed copy of <u>Attachment 3, Payment Provisions</u> in their proposal.

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## 7.0 EVALUATION OF PROPOSALS

#### 7.1 Evaluation Committee

The AOC and JBEs will conduct a comprehensive, fair, and impartial evaluation of Proposals received in response to this RFP. The AOC Contracting Officer will evaluate all Proposals received in response to this RFP for compliance with the submittal requirements set out in this RFP, and for proposers' demonstrated minimum qualifications per Section 7.3. All compliant proposals demonstrating the minimum qualifications will be forwarded to a committee of qualified personnel for review and evaluation. The proposals, without Attachment 3 – Payment Provisions, will be forwarded to the Evaluation Committee for review. After completion of the evaluation of the non-pricing sections of the proposal, the Evaluation Committee will review each Attachment 3 – Payment Provisions. The Committee will evaluate the proposals as a whole in accordance with the evaluation criteria set forth in Section 8. The Committee will then make a final recommendation for award, if any.

#### 7.2 Reservation of Rights

The AOC, in its complete discretion, may eliminate proposals that have not scored adequately in relation to other proposals to warrant further consideration. The AOC reserves the right to reject any or all proposals, in whole or in part, and may or may not waive a deviation or defect in a proposal. The AOC's waiver of a deviation or defect shall in no way modify the solicitation document or excuse a proposer from full compliance with other solicitation document specifications. The AOC reserves the right to seek clarification or additional information from any proposer throughout the solicitation process.

#### 7.3 Minimum Qualifications

To be considered for full evaluation and possible award, Proposers must first meet the minimum qualification requirements listed in the following table:

	Minimum Qualifications
1.	Proposer has three or more years experience providing interpreter services to government and/or public sector entities, preferably for courts.
2.	Proposer must supply representative sample resumes and credentials of proposer's principals as well as 3 examples of resumes that reflect proposer's standard interpreters' experiences.
3.	Proposer must describe the minimum qualifications they require for their interpreters, and must differentiate between categories of interpreter levels or classifications (e.g. certified (tested) languages, non-certified (non-tested) languages, or tested for bilingual skills. Proposer must submit any ranking criteria or selection protocols it uses in assigning its ranking or deploying interpreters to fill assignments.)
4.	Proposed interpreters must comply with Attachment 10 Rules of the Court 10.103 and Attachment 11 Rules of the Court 10.104.

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	Minimum Qualifications
5.	Proposer is not currently under suspension or debarment by any state or federal government agency and is not tax delinquent with the State of California (Ref. Attachment 6).
6.	Proposer has all required licenses and permits in the State of California for interpreter services.
7.	Proposer does not take exceptions to Attachment 4 Leveraged Purchasing Agreement.

Subject to the AOC's right in its complete discretion to waive deviations or defects it deems immaterial, only those proposals that meet all of the foregoing minimum qualifications shall be considered for a full evaluation and a possible award of a leveraged purchasing agreement. Proposers who fail to meet any of the listed minimum qualifications will be notified in writing, and will have two (2) business days from receipt of such notification to file proof that all such qualifications are met.

#### 7.4 Evaluation Criteria

Proposals will be evaluated based upon the following criteria. Although some factors are weighted more than others, all are considered necessary, and the Proposal must be technically acceptable in each area to be eligible for award.

## 7.4.1 Technical Understanding and Approach: 30 possible points.

Proposers will be evaluated on their ability to understand the nuances of telephonic interpretation and to implement an effective telephonic interpreter program in multiple languages, including the proposed technical approach to provide reliable and efficient telephonic interpretive services using qualified interpreters.

The technical proposal should include detailed information regarding security plans and infrastructure to ensure confidentiality of data and telephonic exchanges.

The technical proposal should also include details pertaining to testing, training, resumes and performance evaluation requirements, as well as information regarding the experience and credentials of current or proposed interpreters.

Detailed information should be included to illustrate minimum testing, training, and continuing education requirements for interpreters of designated languages to be used in mandated courtroom proceedings, as well as the minimum requirements for interpreters or language specialists of designated languages to be used for non-mandated proceedings.

Minimum testing, training, and continuing education requirements should be provided for interpreters or language specialists in non-designated languages as well.

## 7.4.2 Company Experience: 25 possible points.

Proposers will be evaluated on their experience performing services comparable to that described in Attachment 2 Work to be Performed, as well as their staffing qualifications, company experience and size, and success in providing like services in an efficient manner to groups with similar requirements to the JBEs. The AOC may contact a local Chamber of

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Commerce, the Better Business Bureau, the Federal Trade Commission, the California State Attorney General-Public Inquiry Unit, or other references as part of its reference check.

## 7.4.3 Cost/Pricing Factors: 25 possible points.

Proposers must submit a pricing proposal in the form attached hereto as Attachment 3- Payment Provisions. Evaluations will be based on a cost proposal that demonstrates reasonable fees and a plan to work with contingencies. Proposal should demonstrate fiscal controls necessary for collection and management of fees. Proposal should include clear, well-defined budget and justifications and a break-down of per minute usage charges per language. A description should be provided if usage costs per language differ based on volume, peak/non-peak times, or credentials of interpreters.

# 7.4.4 Contract Risk: 20 possible points.

Compliance with Contract Terms - Complete and submit Attachment 5, Proposer's Acceptance of the RFP's Contract Terms. A material exception to a Minimum Term will render a proposal non-responsive.

## 7.5 Interviews and Negotiations

The AOC reserves the right to require, and each proposer must be prepared to conduct, oral presentations and other discussions (written or verbal) on the content of its proposal. The AOC requires that the proposed Project Manager be present during the interviews. The AOC reserves the right to interview one or more proposers, or none. Proposers will be responsible for all costs related to the interview, which, at the AOC's sole discretion, may be in person and/or by teleconference. If the AOC desires to enter into negotiations, it will do so with one or more proposers, at its discretion. The AOC reserves the right to award a Statewide Telephonic Services Leveraged Purchasing Agreement, if any, without negotiations.

#### 7.6 Award

The Evaluation Committee will make a final recommendation for award of one or more Statewide Limited Telephonic Interpreter Leveraged Purchasing Agreements to the AOC' Business Services Unit. A Notice of Intent to Award will be posted to the RFP Website at least three (3) business days prior to the date that action to award the Statewide Limited Telephonic Interpreter Services Master Agreement will be taken. Upon award, the successful Proposer(s) will be required to execute a Statewide Limited Telephonic Interpreter Services Leveraged Purchasing Agreement in substantially the same form as that attached as Attachment 4 Leveraged Purchasing Agreement hereto. The successful proposer must forward the required insurance endorsements to the AOC within ten (10) business days following the award.

#### 8.0 SUBMISSIONS OF PROPOSALS

8.1 Responsive proposals should provide straight-forward, concise information that satisfies the requirements noted in paragraphs 5.0 (Specifics of a Responsive Technical Proposal) and 6.0 (Specifics of a Responsive Cost Proposal) of this Request For Proposals. Expensive bindings, color displays, and the like are not necessary or desired. Emphasis should

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be placed on conformity to the AOC's instructions, requirements of this RFP and completeness and clarity of content.

- 8.2 Proposals must be delivered by the proposal due date and time to the individual and address listed in paragraph 3.2 (Proposal Submittal Address) of this Request For Proposals and **must** be submitted as follows:
  - a. One (1) unbound original of the cost proposal and one (1) separate unbound original of the technical proposal.
  - b. One (1) electronic formatted copy of the cost proposal, in MS Word compatible format on a CD-ROM.
  - c. One (1) electronic formatted copy of the technical proposal in MS Word compatible format on a CD-ROM.
  - d. All proposals (hard and electronic copies) must be submitted with the cost proposal in one (1) sealed envelope marked with "Cost Proposal" and the technical proposal placed in a separate sealed envelope marked with "Technical Proposal." Each envelope must also be marked with the Proposer's name. These two envelopes should then be placed in a single outside envelope. The outside envelope must be sealed and clearly marked with the RFP Number, Project Title, the Proposal Due Date, and the Proposer's name.
  - e. The hard and electronic copies of the technical proposal **must not** include any pricing information. Proposals received by the AOC prior to the proposal due date and time that are marked properly will be securely kept, unopened until the proposal due date and time. Late proposals will not be considered.
  - f. All proposals must be delivered via U.S. Mail, express mail carrier, or hand delivery only. A receipt should be requested for hand delivered material.
  - g. The proposer is solely responsible for ensuring that the full proposal is received by the AOC in accordance with the RFP requirements, prior to the date and time specified in the RFP, and at the place specified. The AOC shall not be responsible for any delays in mail or by express mail carriers or by transmission errors or delays or missed delivery.
- 8.3 Only written proposals, accompanied by the CD-ROM submittal, will be accepted.

#### 9.0 RIGHTS

The AOC reserves the right to reject any and all proposals, in whole or in part, as well as the right to issue similar RFPs in the future. This RFP is in no way an agreement, obligation, or contract and in no way is the AOC or the State of California responsible for the cost of preparing the proposal. One copy of a submitted proposal will be retained for official files and becomes a public record.

#### 10.0 CONFIDENTIAL OR PROPRIETARY INFORMATION

The Administrative Office of the Courts is bound by California Rules of Court, rule 10.500 (see: http://www.courtinfo.ca.gov/rules/amendments/jan2010-2.pdf) as to disclosure of its administrative records. If the information submitted contains material noted or marked as confidential and/or proprietary that, in the AOC's sole opinion, meets the disclosure exemption requirements of Rule 10.500, then that information will not be disclosed pursuant to a request for access to judicial administrative records.

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If the AOC does not consider such material to be exempt from disclosure under Rule 10.500, the material may be made available to the public, regardless of the notation or markings. If a Proposer is unsure if its confidential and/or proprietary material meets the disclosure exemption requirements of Rule 10.500, then it should not include such information in its proposal.

## 11.0 DISABLED VETERAN BUSINESS ENTERPRISE PARTICIPATION GOALS

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

## 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 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 AOC to receive a solicitation specifications protest is the time and due date for submission of proposals. Protests should be sent to:

AOC – Business Services Unit ATTN: Protest Hearing Officer, RFP #FIN032811CK 455 Golden Gate Avenue San Francisco, CA 94102-3688

End of RFP