



REQUEST FOR PROPOSALS

JUDICIAL COUNCIL OF CALIFORNIA

REGARDING:

OFF-SITE DATA STORAGE SERVICES

RFP: ITSO-2017-04-RBB

PROPOSALS DUE:

FEBRUARY 24, 2017 FRIDAY,

NO LATER THAN

2:00 P.M. PACIFIC TIME

1.0 BACKGROUND INFORMATION

- 1.1 Judicial Council of California. 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. 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 JUDICIAL COUNCIL also adopts rules for court administration, practice, and procedure, and performs other functions prescribed by law.
- 1.2 The Information Technology Services Office. The Information Technology Services Office is housed in the JUDICIAL COUNCIL's Judicial and Court Administrative Services Division and is responsible for assisting the courts in achieving the JUDICIAL COUNCIL's technology objectives. The office is directly responsible for the development, acquisition, implementation, and support of automated systems in the appellate courts and the JUDICIAL COUNCIL.

2.0 DESCRIPTION OF SERVICES AND DELIVERABLES

- 2.1 The JUDICIAL COUNCIL seeks to identify and retain a qualified service provider that is able to provide off-site data storage and related services to the JUDICIAL COUNCIL as delineated in Exhibit D of Attachment 2.
- 2.2 The services are expected to be performed by the selected service provider between **April 1, 2017** and **March 31, 2018** (“**Initial Term**”) with **four (4) possible consecutive one-year option terms**, to extend the Agreement under the same terms and conditions in effect for the Initial Term. The consecutive one-year options shall be exercised at the sole discretion of the JUDICIAL COUNCIL. If the JUDICIAL COUNCIL elects to extend the Agreement, the Proposer may negotiate price adjustments applicable during the option period(s) and any agreed-upon price adjustments will be set forth in a written amendment to the Agreement. Any agreed-upon price adjustment (whether an increase or decrease in price) may not exceed during any one-year option period the previous 12 months' change in the San Francisco Region Consumer Price Index as published by the U.S. Bureau of Labor Statistics at <http://www.bls.gov/ro9/cpisanf.htm>.
- 2.3 Proposals should include reference to additional services available from the service provider that may be of value to the JUDICIAL COUNCIL even if they are outside of the scope of this RFP. Examples include the ability to provide consulting services, cloud/online backup services, and/or media destruction.

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- 2.4 The total for all services and expenses payable under the initial term of the contract and then next four (4) option years is **not to exceed \$125,000.00.**
- 2.5 Additional information about the documents pertaining to this solicitation, including electronic copies of the solicitation documents, can be found on the California Courts Website, at www.courts.ca.gov/rfps.htm.

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	February 7, 2017
Deadline for questions to Solicitations@jud.ca.gov	February 10, 2017
Questions and answers posted (<i>estimate only</i>)	February 15, 2017
Latest date and time proposal may be submitted	February 24, 2017 no later than 2:00 PM (PT)
Evaluation of proposals. This period may include any interviews. (<i>estimate only</i>)	February 27-March 3, 2017
Notice of Intent to Award (<i>estimate only</i>)	March 6, 2017 (Monday)
Negotiations (<i>estimate only</i>)	March 7-10, 2017
Notice of Award (<i>estimate only</i>)	March 13, 2017 (Monday)
Execution of contract (<i>estimate only</i>)	March 14 - 24, 2017
Contract start date (<i>estimate only</i>)	April 3, 2017 (Monday)

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.

ATTACHMENT	DESCRIPTION
Attachment 2: JUDICIAL COUNCIL Standard Terms and Conditions	If selected, the person or entity submitting a proposal (the “Proposer”) must sign this JUDICIAL COUNCIL Standard Form agreement.
Attachment 3: Acceptance of Terms and Conditions	On this form, the Proposer must indicate acceptance of the Terms and Conditions or identify exceptions to the Terms and Conditions. Note: A material exception to a Minimum Term may render a proposal non-responsive.
Attachment 4: General Certifications	The Proposer must complete and submit the completed certification with its proposal.
Attachment 5: Darfur Contracting Act Certification	The Proposer must complete the Darfur Contracting Act Certification and submit the completed certification with its 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: Cost Matrix	Proposer must fill in the Cost per Unit or Service Performed.
Attachment 8: Unruh	Proposer must sign and submit the Unruh Civil Rights Act and California Fair Employment and Housing Act Certification.

5.0 PAYMENT INFORMATION

Payment Provisions are set forth in Attachment 2 on Payment Provisions.

6.0 SUBMISSIONS OF PROPOSALS

- 6.1 Proposals should provide straightforward, concise information that satisfies the requirements of Section 7, Proposal Contents. Expensive bindings, color displays, marketing or sales materials do not add value to the evaluation process. Emphasis should be placed on conformity to the RFP’s instructions and requirements, completeness and clarity of content.
- 6.2 The Proposer must submit a cover letter and its proposal in two parts, the Technical Proposal and the Cost Proposal.
- 6.2.1 The cover letter will identify the name, title, address, telephone number, and email address of the individual who will act as Proposer’s designated representative for purposes of this RFP.

- 6.2.2 The Proposer will submit **one (1) original and three (3) copies** of the Technical Proposal. The original must be signed by an authorized representative of the Proposer and submitted (with the copies thereof) in a single sealed envelope, separate from the Cost Proposal. The Proposer must write the RFP title and number on the outside of the sealed envelope.
- 6.2.3 The Proposer will submit **one (1) original and three (3) copies** of the Cost Proposal. The original must be signed by an authorized representative of the Proposer. The original Cost Proposal (and the copies thereof) must be submitted to the JUDICIAL COUNCIL in a single sealed envelope, separate from the Technical Proposal. The Proposer must write the RFP title and number on the outside of the sealed envelope.
- 6.2.4 In addition to the Technical Proposal and Cost Proposal, submit one (1) original and required copies of the original signed documents of those enumerated in Section 4.0 above.
- 6.2.5 The Proposer must submit a complete electronic version of each proposal on CD-ROM. The files contained on the CD-ROM should be in PDF as well as editable/unprotected Word or Excel formats.
- 6.3 Only hard copy proposals will be accepted. Proposals must be submitted by registered or certified mail, courier service (e.g. FedEx), or delivered by hand to the following address. Proposals may not be submitted by facsimile or email.
- Judicial Council of California
Branch Accounting and Procurement Office, Bid Desk
Attn: Lenore Fraga-Roberts, **RFP: ITSO-2017-04-RBB**
455 Golden Gate Avenue 6th Floor
San Francisco, CA 94102-3688
- 6.4 Proposals must be received by the date and time listed on the coversheet of this RFP. Late proposals will not be accepted.

7.0 PROPOSAL CONTENTS

- 7.1 Technical Proposal. The following information must be included in the technical proposal. A proposal lacking any of the following information may be deemed non-responsive.
- 7.1.1 General information about the Proposer

Proposer's name, address, telephone and fax numbers, and federal tax identification number. **NOTE:** If Proposer is a sole proprietor using his or

her social security number, the social security number will be required before finalizing a contract. (See 7.1.5.3)

7.1.2 Proposer's experience and ability to meet RFP deliverable requirements

7.1.2.1 An overview of the Proposer's business activities, including a description, and the duration and extent, of the Proposer's activities, which are relevant to this proposal including a description, and the duration and extent, of the Proposer's experience conducting the proposed activities.

7.1.2.2 A description of five (5) similar projects that the Proposer has completed.

7.1.2.3 Names, addresses, and telephone numbers of five (5) clients for whom the Proposer has conducted similar projects. The JUDICIAL COUNCIL may check references listed by Proposer.

7.1.2.4 For each key staff member who would work on this project, describe the individual's background, training, and experience, including the individual's ability and experience in conducting similar projects.

7.1.3 Management Summary

7.1.3.1 The management summary should be a non-technical, high-level summary of the proposed services. The management summary must be brief, not extending to more than three (3) pages, (excluding any screen shots or samples).

7.1.3.2 The management summary should contain the following items:

- a. A description of Proposer's document storage process. Include data on storage handling capability, transportation assets/capabilities, security of documents, facilities available. Also, include information on proximity of storage facilities to San Francisco and average response times to requests for service.
- b. A description of the chronology for completing the work, including a timeline and deadlines for each task.
- c. If proposed as part of the services offered, screenshot samples and navigation information for the Proposer's online inventory control system, including sample request forms, look-up queries and other account management tools.

- d. Sample inventory reports, activity reports, and itemized monthly billing statements.
- e. Any business benefits to be gained from the proposed system.
- f. Summary of all costs associated with the initial implementation and ongoing charges, as well as any options.

7.1.4 Acceptance of the Terms and Conditions

7.1.4.1 On Attachment 3, Proposer's Acceptance of Terms and Conditions, the Proposer 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.

7.1.4.2 If exceptions are identified, the Proposer must also submit a redlined version of the Terms and Conditions that clearly tracks proposed changes, and a written explanation or rationale for each exception and/or proposed change.

NOTE: A proposal that takes a material exception (addition, deletion, or other modification) to a Minimum Term will be deemed nonresponsive. The JUDICIAL COUNCIL, in its sole discretion, will determine what constitutes a material exception.

7.1.5 Certifications, Attachments, and other requirements

7.1.5.3 Proposer must include in its proposal a completed and signed Attachment 6, Payee Data Record Form, or provide a copy of a form previously submitted to the JUDICIAL COUNCIL.

7.1.5.4 If Proposer is a corporation and the contract will be performed within California, Proposer must provide proof that it is in good standing and qualified to conduct business in California. JUDICIAL COUNCIL may verify by checking with California's Office of the Secretary of State.

7.1.5.5 Proposer must provide copies of current business licenses, professional certifications, or other credentials.

7.2 Cost Proposal. The following information must be included in Attachment 7, Cost Matrix. A proposal lacking any of the following information may be deemed non-responsive.

7.2.1 Please provide firm fixed pricing detail for each category listed in Attachment 7. All charges, fees and rates must be entered in the applicable cells on the

worksheet. Please list any additional charges for miscellaneous services such as initial setup. Every effort must be made to provide detailed information for routine and emergency services.

- 7.2.2 A detailed cost proposal, including any travel costs or other expenses. Proposer's Cost Proposal should include an estimate of any possible cost increases projected through the life of the contract and any probable increases associated with the contract renewal provisions of their proposal. Proposer's Cost Proposal should include any reduction in storage cost for cartons temporarily removed from storage.
- 7.2.3 Proposers should make their initial offer on the most favorable terms available.
- 7.2.4 The pricing for Services will be on a pricing sheet in Attachment 7, Cost Matrix which covers the initial year and the remaining option years.
- 7.2.5 It is expected that all service providers responding to this RFP will offer the service provider's government or comparable favorable rates.
- 7.2.6 All pricing is to be submitted in an unprotected Microsoft Excel format. No compressed files will be accepted. The pricing worksheet shall contain a detailed listing of all proposed solution components.
- 7.2.7 Proposers for items such as this services would show their prices on how much each service they offer would cost. The scope of services requested are straight forward - weekly pickups and deliveries. However, in cases where the month has five (5) weeks, the storage of tape containers may also vary.
- 7.2.8 There are cases where the JUDICIAL COUNCIL have been asked to get data off older tapes from other divisions. Therefore, the JUDICIAL COUNCIL will request that type of service and that would be 'billed' to its account.
- 7.2.9 There is a separate column for costing for emergency services on Attachment 7. However, the Proposer may provide costings using its own format for situations where a non-regular scheduled pickups/deliveries may occur.
- 7.2.10 Proposers can offer additional variety of services that are not subject of this RFP (backup to cloud, etc.). However, this will not mean that the JUDICIAL COUNCIL is bound to engage such services, except if the JUDICIAL COUNCIL do see additional services that is in need and the cost is still within the yearly procurement budget.

NOTE: It is unlawful for any person engaged in business within this state to sell or use any article or product as a "loss leader" as defined in Section 17030 of the Business and Professions Code.

8.0 OFFER PERIOD

A Proposer's proposal is an irrevocable offer for ninety (90) days following the proposal due date. In the event a final contract has not been awarded within this ninety (90) day 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 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 of a responsible bidder.

CRITERIA	MAXIMUM NUMBER OF POINTS
Quality of work plan submitted as it relates to meeting the objectives outlined in the Description of Services and Deliverables. (RFP, section 2.0)	20
Ability to meet time requirements to complete the project (Attachment 2, Exhibit D, Work to be Performed)	25
Cost Proposal (RFP, section 7.2)	30
Demonstrated experience and ability. (RFP, section 7.1.2)	15
Acceptance of the Terms and Conditions (RFP, section 7.1.4)	10

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 in San Francisco. 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 disclosure will be made regardless of whether the proposal (or portions thereof) is marked “confidential,” “proprietary,” 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 PARTICIPATION GOALS

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

13.0 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 JUDICIAL COUNCIL to receive a solicitation specifications protest is the proposal due date. Protests should be sent to:

Judicial Council
Branch Accounting and Procurement
Attn: Protest Hearing Officer
455 Golden Gate Avenue, Sixth Floor
San Francisco, CA 94102-3688

END OF RFP