

**RFP Title: E-Learning Modules for Self Represented Litigants and Court Professionals in Family and Juvenile Courts**

**RFP Number: CFCC-2018-09-CD**

# REQUEST FOR PROPOSALS

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**JUDICIAL COUNCIL OF CALIFORNIA**

**REGARDING:**

*E-Learning Modules for Self Represented Litigants and Court Professionals in Family and Juvenile Courts*

**PROPOSALS DUE:**

***May 29, 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. 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 staff assists both the council and its chair in performing their duties.

The Judicial Council's Center for Families, Children & the Courts (CFCC) provides services to the courts, associated professionals and the public on juvenile and family projects to improve access and fairness and service delivery of court-based programs that improve the lives of children and families. CFCC's web site is located at: <http://www.courts.ca.gov/programs-cfcc.htm>. CFCC includes units focusing on assistance to self-represented litigants, victims of domestic violence, victims of crime, families involved in child custody and child support matters, and families and children involved in the child welfare or the juvenile justice systems.

## **2.0 DESCRIPTION OF SERVICES AND DELIVERABLES**

The Judicial Council seeks the services of a person or entity with expertise in the design, development and delivery of web-based education for court users and court professionals ("e-learning").

2.1 CFCC seeks to expand and improve its educational offerings through electronic content ("e-content") and electronic learning ("e-learning") systems through a contract with a vendor who will:

- a) Display expertise in the best practices related to design and delivery of e-learning.
- b) Collaborate with CFCC to design and deliver five (5) e-content courses of approximately 90 minutes each.
- c) Provide the e-content to CFCC in a format that is open source, fully modifiable, and can be used as templates by CFCC in the development of multiple additional courses.
- d) Provide training to CFCC in the use of this e-content to develop and deploy additional courses.

2.2. Display expertise in the best practices related to design and delivery of e-learning. Contractor is expected to display, through examples of work, expertise in user-centered design, use of sprints and story-boarding, development of learning objectives, and agile design that can be rapidly tested with users and reworked based on feedback. E-content is expected to be interactive and engaging, using a variety of short modules including learning assessments, video, animation and animated whiteboarding, branching processes

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for learners, excellent navigation tools, self-tests and evaluations, and useful analytics. E-content is expected to meet the needs of the different users who access CFCC websites and tools. Some courses will be designed for attorneys and other court-professionals, other courses will be designed for members of the public unfamiliar with the courts, still other courses will require Spanish and other language versions.

2.3 Collaborate with CFCC to design and deliver five (5) e-content courses of approximately 90 minutes each. The courses will include: Legal Ethics for Juvenile Dependency Attorneys, Key Civil Legal Concepts for Self-Represented Litigants, Introduction to the Domestic Violence Court Process for Tribal Advocates, Probate-Conservatorship Process for Self-Represented Litigants, and Understanding and Complying with Your Restraining Order. In all courses CFCC staff will collaborate with the vendor to provide extensive background materials and learning objectives, as well as suggesting stakeholders (attorneys, nonprofit advocacy groups, court professionals, judicial officers, tribal court representatives and advocates) to engage in user-testing.

2.4 Provide the e-content to CFCC in a format that is open source, fully modifiable, and can be used as templates by CFCC in the development of multiple additional courses. CFCC intends to use the products provided through this RFP to develop further courses in-house. The Judicial Council seeks sole and exclusive ownership rights to all developed products and materials. CFCC strongly suggests that the proposed work make use of open-source content-creation and content-delivery tools, and/or non-proprietary development environments such as Adobe Captivate and content management systems such as Moodle or Blackboard. CFCC also suggests that e-content be in a Sharable Content Object Reference Model (“SCORM”) format.

2.5 Provide training to CFCC in the use of this e-content to develop and deploy additional courses. Contractor must document the e-content and provide at least two training sessions to Judicial Council development technical staff, and at least two training sessions to CFCC content specialists, with the objective of allowing CFCC to use the educational content developed to produce additional courses.

2.6 It is the intention of the Judicial Council to award a single contract to the successful bidder with a target completion date by September 30, 2018. Early completion is highly encouraged.

**2.7 Specific Services Required**

<b>2.7.1 Collaborate with CFCC to design and deliver one e-content course of approximately 90 minutes.</b>	
2.7.1.1 Hold design meeting with CFCC staff for 90 minute e-learning: Understanding and Complying with Your Restraining Order	Meet with CFCC staff to develop learning objectives and review and receive course materials, including current powerpoints used

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	during in-person trainings, taped educational sessions if available, published materials and fact sheets and other written tools.
2.7.1.2 Technology review	At beginning of project, meet with Judicial Council Web Services and Information Technology Services staff to review all development and deployment technology
2.7.1.3 Design proposal review with CFCC and invited stakeholders	Produce design proposal including storyboards and sketch ups of modules; hold sprint or other design session with CFCC staff and invited stakeholders.
2.7.1.4 Deliver detailed design plan and receive feedback	
<b>Deliverable #1. Completion of 2.7.1.4 by June 29, 2018. Contractor shall invoice for 25% of total contract.</b>	
2.7.1.5 Produce prototype of all modules and interactive elements	A 90 minute training should include up to 10 modules of 8 to 12 minutes each. A training should make use of multiple modules encompassing animation, narration and storytelling; discussion boards with questions and exercises; exercises that involve practical research on websites; exercises that involve filling out forms or questionnaires; printable job aids and other tools; computer based role plays and branching activities. Modules should be designed with the goal in most cases of creating versions in Spanish and other languages; therefore, the use of video talking heads is discouraged and the use of animation and whiteboards is encouraged.
2.7.1.6 Prototype review with CFCC and invited stakeholders	
2.7.1.7 Prototype review with Judicial Council Web Services and Information Technology Office representatives	
2.7.1.8 User testing of prototype with domestic violence advocates and self-represented litigants	
2.7.1.9 Consultation with CFCC for final changes in prototype	
2.7.1.10 Produce and deliver final draft 90 minute training to CFCC.	CFCC reviews and makes final requests for modifications

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2.7.1.11 Hold training session with CFCC and Web Services staff on how to use the delivered content as wireframes and templates for developing new trainings.	
2.7.1.12 Deliver final e-content	
<b>Deliverable #2. Completion of 2.7.1.12 by July 27, 2018. Contractor shall invoice for 25% of total contract.</b>	
<b>2.7.2 In collaboration with CFCC, design and deliver e-content for 4 additional courses</b>	
2.7.2.1 Design meeting with CFCC staff for 4 additional 90 minute e-learning courses: Legal Ethics for Dependency Attorneys, Key Civil Legal Concepts for Self Represented Litigants, Introduction to the Domestic Violence Court Process for Tribal Advocates, and Probate Conservatorship Process for Self-Represented Litigants.	See 2.7.1.1 to 2.7.1.12, above, for the steps that must be conducted for each training.
2.7.2.2 Spanish language version of one 90-minute training	Produce complete Spanish language version of the Key Civil Legal Concepts training based upon translation provided by CFCC.
<b>2.7.3 Provide the e-content to CFCC in a format that is open source, fully modifiable, and can be used as templates by CFCC in the development of multiple additional courses.</b>	
2.7.3.1 Technology review – second meeting	After delivery of first training, meet again with Judicial Council Web Services and Information Technology Services staff to review all development and deployment technology
2.7.3.2 Produce documentation format for CFCC review	
2.7.3.3 Deliver all content for Understanding and Complying with Your Court Order	Content will serve as a wireframe for future courses for self-represented litigants seeking to understand the court process.
2.7.3.4 Deliver all content for Key Civil Legal Concepts	Content will serve as a wireframe for future courses for self-represented litigants seeking to understand the court process
2.7.3.5 Deliver all content for Domestic Violence Court Process for Tribal Advocates	Content will serve as a wireframe for future courses for stakeholders and advocates seeking to understand the court process
2.7.3.6 Deliver all content for Probate-Guardianship or Conservatorship Process for Self-Represented Litigants	Content will serve as a wireframe for future courses for self-represented litigants seeking to understand the court process.

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2.7.3.7 Deliver all content for Legal Ethics for Dependency Attorneys	Content will serve as a wireframe for future courses for legal professionals
<b>Deliverable #3. Completion of 2.7.3 by August 31, 2018. Contractor shall invoice for 25% of total contract.</b>	
<b>2.7.4 Provide training to CFCC in the use of this e-content to develop and deploy additional courses.</b>	
2.7.4.1 Conduct at least two day-long (6 hour) training sessions with CFCC content professionals on developing new courses from the existing courses delivered	
2.7.4.2 Hold at least two information/discussion sessions with Judicial Council Web Services and Information Technology Services staff on deployment.	
<b>Deliverable #4. Completion of 2.7.4 by September 27, 2018. Contractor shall invoice for 25% of total contract.</b>	

**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.

<b>EVENT</b>	<b>DATE</b>
RFP issued	<i>May 10, 2018</i>
Deadline for questions to <a href="mailto:solicitations@jud.ca.gov">solicitations@jud.ca.gov</a>	<i>May 18, 2018 by 3:00 pm</i>
Questions and answers posted (estimate only)	<i>May 22, 2018</i>
Latest date and time proposal may be submitted	<i>May 29, 2018 by 3:00 pm</i>
Evaluation of proposals ( <i>estimate only</i> )	<i>May 30 - June 5, 2018</i>
Notice of Intent to Award ( <i>estimate only</i> )	<i>June 8, 2018</i>
Negotiations and execution of contract ( <i>estimate only</i> )	<i>June 11-15, 2018</i>
Contract start date ( <i>estimate only</i> )	<i>June 18, 2018</i>
Contract end date ( <i>estimate only</i> )	<i>September 30, 2018</i>

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**4.0 RFP ATTACHMENTS**

The following attachments are included as part of this RFP:

<b>ATTACHMENT</b>	<b>DESCRIPTION</b>
Attachment 1: Administrative Rules Governing RFPs (Non-IT 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 Judicial Council Standard Form agreement
Attachment 3: Proposer’s 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.
Attachment 4: General Certifications Form	The Proposer must complete the General Certifications Form and submit the completed form with its proposal.
Attachment 5: Darfur Contracting Act Certification	The Proposer must complete the Darfur Contracting Act Certification and submit the completed certification with the 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: Unruh and FEHA Certification	The Proposer must complete the Unruh Civil Rights Act and California Fair Employment and Housing Act Certification.
Attachment 8: Bidder Declaration	This form needs to be signed by the Proposer if the Contractor is participating in the DVBE incentive and submitted with the proposal.
Attachment 9: DVBE Declaration	This form needs to be signed by the Proposer if the Contractor is participating in the DVBE incentive and submitted with the proposal.
Attachment 10 Reference Form	The Proposer must complete the Reference Form and submit the completed form with its proposal.

**5.0 PAYMENT INFORMATION**

The compensation outlined for this project including travel **may not exceed \$208,000.00**. The Contractor shall submit invoices upon satisfactory completion of services for each

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deliverable outlined in Section 2. Invoice shall include, in detail, all costs and applicable charges.

**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 two parts, the technical and the cost proposal.

- a. Proposer must submit **one (1) original and three (3) hard copies** of the technical proposal. The original must be signed by an authorized representative of the Proposer. The original technical proposal (and the copies thereof) must be submitted to the Judicial Council 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.
- b. Proposer must submit **one (1) original and three (3) hard 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 non-cost proposal. The Proposer must write the RFP title and number on the outside of the sealed envelope.
- c. Proposers are also required to submit an electronic version of the entire proposal on a 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:

**Judicial Council of California  
Branch Accounting and Procurement  
Attn.: Lenore Fraga-Roberts  
RFP#: CFCC-2018-09-CD  
455 Golden Gate Avenue, 6th Floor  
San Francisco, CA 94102**

**6.4** Late proposals will not be accepted.



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- 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 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'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. 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.
- d. Names, addresses, and telephone numbers of a minimum of **three (3)** clients (see Attachment 10) for whom the Proposer has conducted similar services. The Judicial Council may check references listed by the Proposer.
- e. A representative list of courses completed by the Proposer that employ legal content and are designed to educate judicial officers, attorneys, self-represented litigants or other persons in legal proceedings.
- f. Links to representative courses employing legal content and employing the methods described in Section 2.2.
- g. Provide a narrative of proposed methods for the required services and deliverables in Section 2 above, including the following:
  - Management structure and staffing for the project
  - Description of planning activities
  - How many staff will be utilized
  - Hourly rate ranges for proposed positions
  - Ability to meet timeline for the required services and deliverables

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- h. 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.

**Note: A material exception to a Minimum Term will render a proposal non-responsive.**

- i. 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 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, professional certifications, or other credentials.
  - v. The Proposer must complete the Unruh Civil Rights Act and California Fair Employment and Housing Act Certification (Attachment 7) and submit the completed certification with its bid.

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

- i. A detailed line item budget showing total cost of the proposed services.

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- ii. A full explanation of all budget line items in a narrative entitled “Budget Justification.”
- iii. A “not to exceed” total for all work and expenses payable under the contract, if awarded.

**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**

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.

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

<b>CRITERION</b>	<b>MAXIMUM NUMBER OF POINTS</b>
<i>Quality of work plan submitted</i>	37
<i>Experience on similar projects and credentials of staff assigned to the project</i>	20
<i>Cost</i>	30
<i>Ability to meet timing requirements to complete the project</i>	5
<i>Acceptance of the Terms and Conditions</i>	5
<i>Disable Veteran Business Enterprise (DVBE) Incentive</i>	3

## **11.0 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.

## **12.0 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.

## **13.0 DISABLED VETERAN BUSINESS ENTERPRISE INCENTIVE**

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

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approved Business Utilization Plan (“BUP”) on file with the California Department of General Services (“DGS”).

- d. If Proposer wishes to seek the DVBE incentive:
- e. Proposer must submit with its proposal a DVBE Declaration (Attachment 7) 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.
- f. Proposer must complete and submit with its proposal the Bidder’s Declaration (Attachment 8). Proposer must submit with the Bidder Declaration all materials required in the Bidder Declaration.
- g. 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.
- h. 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.

**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](http://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 May 18, 2018. Protests must be sent to:

Judicial Council of California – Branch Accounting and Procurement  
Attn: Protest Officer  
455 Golden Gate Avenue, 6th Floor  
San Francisco, CA 94102

***(Indicate Solicitation Number and Name of Your Firm on lower left corner of envelope.)***