

REQUEST FOR PROPOSALS

JUDICIAL COUNCIL OF CALIFORNIA

**REGARDING:
REVIEW OF UNIFORM CHILD SUPPORT GUIDELINE
RFP-CFCC25-190RB**

**PROPOSALS DUE:
FEBRUARY 12, 2025, NO LATER THAN 3:00 P.M. PACIFIC TIME**

1.0 BACKGROUND INFORMATION

- 1.1 The Judicial Council of California (JCC), chaired by the Chief Justice of California, is the chief policy making agency of the California judicial system. The California Constitution directs the JCC 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 JCC also adopts rules for court administration, practice, and procedure, and performs other functions prescribed by law. The JCC staff assists both the council and its chair in performing their duties.
- 1.2 The JCC's Center for Families, Children & the Courts (CFCC) will coordinate this project. The CFCC focuses on juvenile and family projects that improve the lives of children through positive changes in the trial and appellate courts' handling of matters involving children and families.
- 1.3 The Child Support Commissioner and Family Law Facilitator Program (Assembly Bill 1058) is a mandated statewide program to expedite child support cases. The JCC administers it by adopting rules and forms, setting standards for the Office of the Family Law Facilitator, overseeing budget administration, and in other ways ensuring successful implementation of the program.
- 1.4 A cooperative agreement, number 10-1115, between the Department of Child Support Services (DCSS) and the JCC provides for two-thirds (2/3) funding originating from the federal government and Trial Court Improvement Funds provide the one-third (1/3) state match needed to conduct the quadrennial review. The Child Support Commissioner and Family Law Facilitator Program is charged with the oversight of the JCC's review of statewide uniform child support guidelines.
 - The fact sheet for the Child Support Commissioner and Family Law Facilitator Program (Assembly Bill 1058) is located at: <http://www.courts.ca.gov/documents/Child-Support-Fact-Sheet.pdf>
 - CFCC's web site is located at: <http://www.courts.ca.gov/programs-cfcc.htm>
- 1.5 REVIEW OF STATEWIDE UNIFORM CHILD SUPPORT GUIDELINE
 - 1.5.1 California has adopted a child support guideline in compliance with federal law, 42 U.S.C. section 667(a). California Family Code section 4054(a) provides that the "JCC shall periodically review the statewide uniform guideline to recommend to the Legislature appropriate revisions." California's guideline is found at Family Code sections 4050-4076.

Federal law also requires that child support guidelines be reviewed by the state at least once every four years to "ensure that their application results

in the determination of appropriate child support award amounts,” as promulgated by 42 U.S.C. section 667(a).

- 1.6 The purpose of this Request for Proposals is to secure a contract to provide the services of a Proposer with expertise in the evaluation of child support guidelines.

2.0 DESCRIPTION OF SERVICES AND DELIVERABLES

TERM

The services are expected to be performed for a period of approximately sixteen (16) months.

SCOPE OF SERVICES

- 2.1 All research plans must be approved by the JCC AB 1058 Program Manager prior to performing work.

All written reports must adhere to the latest version of the JCC Style Guide and any other related report guidelines, templates, etc. as directed by the JCC when submitting written work and be transmitted in a hardcopy format as required by the JCC and electronically in an editable Microsoft Word format. If no JCC template is available for this report type, the Proposer must develop one based on the JCC Style Guide. All charts, tables, and graphics must be submitted in an editable format as well. The Proposer must submit an annotated bibliography and hard copies of all source materials used with each deliverable (and include an electronic link to an online source, if available).

- 2.2 Prepare an updated review and analysis of current and historical economic research on the cost of raising children, including a critical analysis of the economic analyses used to construct child support guidelines.

Submit written report in a Microsoft Word format including a written justification for additional original research or analysis based on gaps in previous research or no research completed since 2021, as well as any research limitations or challenges encountered while conducting this part of the study.

- 2.3 Verify that the sample size and the courts identified by the JCC are representative of child support cases statewide and conduct an analysis on the actual application of the guideline using case file data (from approximately 1,100 case files) provided by the JCC.

Written report should also address the following:

- 2.3.1. Detailed analysis of the actual application of the guideline and how often

courts deviate from the child support guideline, including the reasons given for the deviation.

- 2.3.2. The rates of default and imputed child support orders and orders determined using the low-income adjustment, including how many obligors are qualified for the low-income adjustment; and
- 2.3.3. Whether child support orders based on anything other than actual earnings (such as imputations of income, or use of earning capacity) take into consideration the specific circumstances of custodial parents (CPs) and noncustodial parents (NCPs), such as residence, employment and earnings history, job skills, educational attainment, literacy, age, health, criminal history.

2.4 Conduct literature reviews on new research published after 2021 that was not included in the last quadrennial review, examine, and provide written report on the following special topics:

- 2.4.1. A review and examination of other states' policies and practices on cases with limited or no information on actual earnings (such as presumed income, earning capacity, or minimum support order practices).
- 2.4.2. A review and examination of the California Statewide Uniform Guideline for Child Support, including:
 - 1) Consideration of economic data on the cost of raising children, labor market data by occupation and skill-level for state and local job markets, the impact of guidelines policies and amounts on parents who have family incomes below 200% of the Federal poverty level, and factors that influence employment rates among NCPs and compliance with child support orders.
 - 2) Use of all actual earnings and income of CPs and NCPs.
 - 3) Consideration of the basic subsistence needs of CPs and children and of NCPs who have a limited ability to pay by incorporating a low-income adjustment, such as a self-support reserve or some other method determined by the State.
 - 4) When the use of imputation of income, or earning capacity, is authorized, consideration of the specific circumstances of CPs and NCPs, including such factors as the parent's assets, residence, employment and earnings history, job skills, educational attainment, literacy, age, health, criminal record and other employment barriers, and record of seeking work. Labor market data (such as unemployment rates, employment rates, hours worked, and earnings) by occupation and skill-level for the State and local job markets, and factors that influence employment rates among noncustodial parents

and compliance with child support orders [as required by 42 Code of Federal Regulations part 302.56(h)(1)].

2.4.3. A review and examination of the following other special topics:

- 1) A comparison of payments on child support orders by case characteristics, including whether the order was entered by default, based on imputed income or earning capacity, or determined using the low-income adjustment; and,
- 2) A mathematical analysis of how the algebraic formula for child support (Family Code section 4055) can be used when a court has found that a child has more than two financially responsible parents; and an analysis of what changes to the formula may be necessary to ensure guideline support for cases with 3 or more parents is consistent with the current formula.

2.5 Organize and conduct one (1) focused discussion group involving child support commissioners on the interpretation of the case file review findings. Organize and conduct one (1) focused discussion group with the Department of Child Support Services (DCSS) and Local Child Support Agencies (LCSAs) representatives from the counties where the case file review is conducted, selected after consultation with DCSS. Organize and conduct one (1) focused discussion group including a broad cross-section of advocacy groups representing custodial parents, noncustodial parents, and children Organize and conduct one (1) focused discussion group including custodial and non-custodial parents. All focus groups will be conducted via videoconference.

The virtual focused discussion group will elicit feedback on the fairness, appropriateness, and comprehensibility of the current guideline, the interpretation of the case file review findings and solicit stakeholder input on access to justice to identify best practices. Develop list of discussion questions for each focus group in consultation with the JCC AB 1058 Program Manager. Virtual focus groups must be conducted on a platform that enables meeting recording and automated audio transcription features such as Zoom. Submit written report on focus group themes and findings to be included in the final report.

- 2.6 Compare results of the current guideline review to results from previous California guideline studies and from studies conducted in other states. This study should be informed by the Review of Statewide Uniform Child Support Guideline from 1998, 2001, 2005, 2010, 2017, and 2021. All studies were conducted by the JCC and are available for review at: <https://courts.ca.gov/programs/families-and-children/family-law/ab-1058-child-support-program/review-child-support>.
- 2.7 Provide results and conclusions useful for the development of draft policy recommendations. Collaborate with the JCC AB 1058 Program Manager and other JCC staff, as appropriate, to develop draft policy recommendations based on the findings from the updated review of economic data on the cost of raising children,

the case file review, virtual focus groups, and the various literature reviews. Policy recommendations should include an analysis of the data from case file reviews to ensure that deviations from the guidelines are limited and guideline amounts are appropriate based on federal and state law. Policy recommendations should also include an analysis of the impact of California’s low-income adjustment based on findings from the literature reviews and analysis of case file data. Specific recommendations should be made on 1) whether the current low-income adjustment is appropriate, and 2) whether the current low-income adjustment amount is sufficient to comply with federal regulation requirement for meeting the basic subsistence needs of the noncustodial parent.

- 2.8 Provide the JCC AB 1058 Program Manager with an initial draft report of all the findings of the research estimated to be no later than February 20, 2026, and a revised final report by no later than March 20, 2026.
- 2.9 Participate in bi-weekly virtual meetings or telephone conferences with the JCC AB 1058 Program Manager and other JCC staff, as appropriate, to review the development of research design, data analysis procedures and research methodology, and written reports and be responsive to emails and phone calls from the JCC AB 1058 Program Manager on an ongoing basis.
- 2.10 DELIVERABLES AND ESTIMATED DUE DATES: The Proposer will be asked to do the following, by the dates listed to the right of each deliverable:

2.10.1 Deliverable 1: Meeting with JCC AB 1058 Program Management

Deliverable 1	<i>Estimated Due Date</i>
Submit a project plan to program manager.	On or before March 17, 2025
Initial videoconference or teleconference meeting to review and discuss the project plan.	

2.10.2 Deliverable 2: Research on the Cost of Raising Children

Deliverable 2	<i>Estimated Due Date</i>
Prepare an updated review and analysis of current and historical economic research on the cost of raising children, including a critical analysis of the economic analyses used to construct child support guidelines.	On or before June 18, 2025
Submit written report in a Microsoft Word format including a written justification for additional original research or analysis based on gaps in previous research or on research completed since 2021, as well as any research limitations or challenges encountered while conducting this part of the study.	

2.10.3 Deliverable 3: Literature Reviews on Special Topics

Deliverable 3	<i>Estimated Due Date</i>
Submit written report(s) in a Microsoft Word format of literature review findings, as well as any research limitations or challenges encountered while conducting this part of the study. Include the literature reviews for the three items below.	On or before July 9, 2025
Research and discuss California’s Statewide Uniform Guideline for Child Support in a written review. The Items to be included are identified in section 2.4.2 above.	
A written review and examination of the other special topics identified in Section 2.4.3 above.	
A written review and examination of other states’ policy models on cases with limited or no information on actual earnings as identified in Section 2.4.1 above.	

2.10.4 Deliverable 4: Case File Review Data Analysis

Deliverable 4	<i>Estimated Due Date</i>
<p>Submit a written final analysis verifying that the sample courts identified by the JCC are representative of child support cases statewide. Submit a written report on the handling of collected case file review data provided by the JCC and written report development. Include data management timeline of data entry procedures, data validation techniques, research methodology, and proposed statistical tests.</p> <p>Submit electronic database of data entered from case file review in both Microsoft Excel and .csv formats, include coding sheet. Submit uniformly formatted charts, tables, and graphics of analyzed data, in addition to copies of syntax and formulas used to run various statistical tests and data analyses, and a written summary of how these numbers were derived.</p> <p>Submit written report in a Microsoft Word format of case file review findings and results and litigant characteristics as reflected in previous California child support guideline studies, as well as any research limitations or challenges encountered while conducting this part of the study. The report shall include the Items identified in Section 2.3 above.</p>	On or before November 17, 2025

2.10.5 Deliverable 5: Virtual Focus Groups

Deliverable 5	<i>Estimated Due Date</i>
<p>Submit detailed written final plan describing focus group timeline, recruitment and sampling strategy to ensure statewide representativeness, organization, facilitation, transcription, audio recording, and written report development for all four groups as identified in Section 2.5 above. At least one child support commissioner from each of the study counties should be included in the discussion on the interpretation of case file review findings.</p> <p>Submit written report in a Microsoft Word format of focus group themes and findings, as well as any research limitations or challenges encountered while conducting this part of the study.</p> <p>Submit digital copies of video recordings and written transcripts from all four focused discussion groups.</p>	<p>On or before January 17, 2026</p>

2.10.6 Deliverable 6: Draft Report

Deliverable 6	<i>Estimated Due Date</i>
<p>Submit a report with written policy recommendations based on findings from the current guideline study in addition to previous California guideline studies and studies from other states. The following criteria should be used when making the policy recommendations:</p> <ol style="list-style-type: none"> 1) ensure that the guideline results in appropriate child support orders, 2) ensure that the guideline limits deviations, and 3) ensure that the guideline is in compliance with federal law. <p>Submit a written final draft report in a Microsoft Word format. The final draft report should include the written reports from deliverables 1-6 (as identified above), in addition to the policy recommendations.</p>	<p>On or before February 20, 2026</p>

2.10.7 Deliverable 7: Final Report

Deliverable 7	<i>Estimated Due Date</i>
<p>Submit a revised final report based on feedback from the Program Manager. This final report will include an introduction describing the background of the study, in addition to a conclusion that also addresses any research limitations or challenges encountered while conducting the study.</p>	<p>On or before March 20, 2026</p>

2.10.8 Deliverable 8: Virtual Meeting or Telephone and Email Contact with JCC AB 1058

Program Management

Deliverable 8	<i>Estimated Due Date</i>
Consult with the JCC AB 1058 Program Manager, JCC staff, or designee via virtual meeting or telephone on a biweekly basis and be responsive to emails and phone calls from the JCC AB 1058 Program Manager on an as-needed basis. Every other week schedule, including day and time, to be arranged.	On or before July 15, 2026

2.10.9 Deliverable 9: Virtual Meeting or Telephone and Email Contact with JCC AB 1058 Program Management

Deliverable 9	<i>Estimated Due Date</i>
Proposer will be available on an on-going basis through July 15, 2026, to provide training materials, if necessary, assist in responses to public comments, and respond to any questions regarding methodology and study findings that may arise during the public comment or review by the JCC.	On or before July 15, 2026

2.11 Authority and Approval

The Proposer is not authorized to make final and binding decisions or approvals on behalf of the JCC. As required in this Agreement, the Proposer will obtain the necessary approvals from the AB 1058 Program Manager and/or the Contracts Manager as may be required.

2.12 Monthly Project Status

The Proposer shall submit monthly project status reports to the Project Manager, describing work performed, work status, work progress difficulties encountered, remedial actions, and statement of activity anticipated subsequent to reporting period for approval prior to payment of invoices. Invoices shall include, in detail, all costs and charges applicable.

2.13 Proposer Responsibilities

2.13.1 The Proposer’s Project Manager will have the following responsibilities under this Contract:

- 1) Works closely with JCC AB 1058 Program Manager.
- 2) Manages, prepares and refines the Contract’s Deliverables.
- 3) Proactively assists with resolution of issues with any aspect of the Work.

- 4) Proactively anticipates Project deviations and is responsible for taking immediate corrective action; and
- 5) Works with Program Manager to manage and coordinate work and knowledge transfer.

2.13.2 The Proposer’s Key Personnel will have the following responsibilities under this Contract:

- 1) Works closely with Proposer’s Project Manager and JCC AB 1058 Program Manager, as appropriate, to accomplish Deliverables.
- 2) Proactively assists with preparing and refining the Contract’s Deliverables.
- 3) Proactively assists with identification and resolution of issues with any aspect of the Work; and
- 4) Assists with performing work and knowledge transfer.

2.14 JCC Responsibilities

The JCC AB 1058 Program Manager will be responsible for managing, scheduling, and coordinating all Project activities, including Project plans, timelines, and resources, and escalating issues for resolution to JCC management.

3.0 TIMELINE FOR THIS RFP

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

EVENT	DATE
RFP issued	January 15, 2025
Deadline for questions to solicitations@jud.ca.gov	January 22, 2025 No later than 3:00 PM (PST)
Questions and answers posted (<i>estimate only</i>) https://courts.ca.gov/policy-administration/bidders-solicitations	January 29, 2025
Latest date and time proposal may be submitted to solicitations@jud.ca.gov	February 12, 2025, at 3:00 PM (PST)
Evaluation of proposals (<i>estimate only</i>)	February 17-21, 2025
Notice of Intent to Award (<i>estimate only</i>) https://courts.ca.gov/policy-administration/bidders-solicitations	February 24, 2025

EVENT	DATE
Negotiations and execution of contract <i>(estimate only)</i>	March 3-7, 2025
Contract start date <i>(estimate only)</i>	March 10, 2025
Contract end date <i>(estimate only)</i>	July 15, 2026

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 2: JCC Standard Terms and Conditions	<p>If selected, the entity submitting a proposal (the “Proposer”) must sign a JCC Standard Agreement containing these terms and condition (the “Terms and Conditions”). If exceptions are identified or additional provisions proposed, the Proposer <u>must</u> also submit a redlined version of the Terms and Conditions that clearly identifies the benefit to the Judicial Branch from the proposed changes and provides a written explanation or rational for each proposed change.</p> <p>Notwithstanding any other provision in this RFP, the Council reserves the right at its discretion to negotiate any or all items with individual Proposers, including the right to propose or require additional terms and conditions for the agreement prior to agreement execution.</p>
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 its proposal.
Attachment 6 Unruh Civil Rights Act and California Fair Employment and Housing Act	The Proposer must complete the Unruh Civil Rights Act and California Fair Employment and Housing Act and submit the completed certification with its proposal.
Payee Data Record Form (STD204) at: https://www.documents.dgs.ca.gov/dgs/fmc/pdf/std204.pdf	This form contains information the JCC requires in order to process payments and must be submitted with the proposal.
Payee Data Record Supplement (STD205) at: https://www.documents.dgs.ca.gov/dgs/fmc/pdf/std205.pdf	This form is optional. This form is used to provide remittance address information if different than the mailing address on the STD 204 – Payee Data Record. Use this form to provide additional remittance addresses and additional Authorized Representatives of the Payee not identified on the STD 204.
Attachment 7: Bidder Declaration	The Proposal must complete this form only if the Proposer wishes to claim the DVBE incentive associated with this solicitation.

Attachment 8: DVBE Declaration	The Proposer must complete this form and submit it with their proposal only if Proposer wishes to qualify for the DVBE incentive.
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5.0 PAYMENT INFORMATION

- 5.1 Subject to the terms of **Attachment 2**, the selected provider will be paid on a firm-fixed price per Deliverable basis.
- 5.2 The resulting contract will be comprised of firm fixed pricing for satisfactory completion of each deliverable listed above in Section 2.10.1. The actual due dates and firm fixed amounts will be based on the awarded proposal.
- Contractor shall submit invoices upon satisfactory completion of services.
 - No other expenses, including travel expenses, will be reimbursed by the JCC.
 - The JCC standard payment terms are net sixty (60) days.

6.0 SUBMISSIONS OF PROPOSALS

- 6.1 Proposals should provide straightforward, concise information that satisfies the requirements of the “Proposal Contents” section below. 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 proposal and the cost proposal.
- a. The Proposer must submit their Technical Proposal as a separate attachment from the Cost Proposal to an email sent to: solicitations@jud.ca.gov
 - b. The Proposer must submit an electronic copy of the Cost Proposal. The proposal must be signed by an authorized representative of the Proposer. To fulfill this requirement, the proposer may include a signed cover letter for the Cost Proposal. The Cost Proposal can be submitted in the same email as the Technical Proposal above via email sent to solicitations@jud.ca.gov, but should be a separate attachment marked “COST PROPOSAL,” from the technical proposal. The Proposer must indicate the RFP title and number in the subject line of the submission email and ensure that the RFP title and number are on the Proposal attachments.
 - c. The Proposer must submit their Cost Proposal as a separate attachment from the Technical Proposal to an email sent to: solicitations@jud.ca.gov.

- d. The Cost Proposal must be signed by an authorized representative of the Proposer. To fulfill this requirement, the proposer may include a signed cover letter for the Cost Proposal. The Cost Proposal may be submitted in the same email as the Technical Proposal above, but should be a separate attachment marked “Cost Proposal” from the Technical Proposal. The Proposer must indicate the RFP title and number on the subject line of the submission email and ensure that the RFP title and number are on the Proposal attachments.
- 6.3 Submission acceptance will be based on the date and time the emails are received by the JCC. Both the Technical and Cost Proposals must be received prior to the due date and time, or the proposal will not be accepted. Due to the potential for email transmission delays, which may cause late receipt and non-acceptance of proposals, it is recommended that Proposers email their proposals well in advance of the due date and time.
 - 6.4 Late proposals will not be accepted. However, as necessary, the JCC may request clarification from Proposers after the submission of proposals.
 - 6.5 The JCC 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 or contract and does not create any obligation to form a contract. The JCC and/or the State of California shall not be responsible for the cost of preparing a proposal. Submitted proposals may be retained for official files and may become a public record.

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.
 - a. A cover letter containing proposer’s name, address, telephone number, 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 clients for whom the Proposer has conducted similar services. The JCC may check references listed by the Proposer.

- e. Proposed method to complete the work.
 - i. Provide Work Plan based on all Tasks and Deliverables as defined in Section 2.0 (Description of Services)
- f. 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.
 - iii. Note: A material exception (addition, deletion, or other modification) to a Minimum Term will render a proposal non-responsive. The JCC, in its sole discretion, will determine what constitutes a material exception.
- g. 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. The Proposer must complete the Unruh Certification (**Attachment 6**) and submit the completed certification with its proposal.
 - iv. 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. The Proposer shall provide a copy of their Certificate of Status with the Secretary of State of 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.

Note: Proposer may be required to register with the California Secretary of State if it meets the definition of transacting intrastate business or “doing Business” under the California Corporations Code. As there is no easy definition for what constitutes – even indirectly – “doing Business” in California, proposers with concerns regarding the Secretary of State registration requirements are encouraged to consult with their legal counsel.

You can find out information regarding the steps on how to register a business with the California Secretary of State at:

<https://bizfileonline.sos.ca.gov/>

- v. The Proposer **must** complete the **Payee Data Record form** and submit the completed form with its proposal. Form and instructions are in fillable PDF format available in the following link:
<https://www.documents.dgs.ca.gov/dgs/fmc/pdf/std204.pdf>
- vi. Data Record Supplement STD 205 (if applicable). STD 205 is optional, and it is required only if the remittance address information is different than the mailing address on the STD 204 form. Form and instructions are in fillable PDF format available in the following link:
<https://www.documents.dgs.ca.gov/dgs/fmc/pdf/std205.pdf>
- vii. Copies of the Proposer’s (and any subcontractors’) current business licenses, professional certifications, or other credentials.
- viii. By submitting a proposal, the Proposer certifies that: (i) it is in compliance with economic sanctions imposed pursuant to applicable laws by the U.S. government in response to Russia’s actions in Ukraine, as well as any sanctions imposed under state law (collectively, “Economic Sanctions”); and (ii) it is not a target of Economic Sanctions. If the Council determines that Proposer is not in compliance with Economic Sanctions or is a target of Economic Sanctions, that shall be grounds of rejection of its proposal.

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

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

- i. Proposer must provide a firm fixed cost for each deliverable specified in Section 2.10 A detailed line-item budget showing total cost of the proposed services.
- 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.

8.0 OFFER PERIOD

A Proposer's proposal is an irrevocable offer for ninety (90) days following the proposal due date. In the event a final contract has not been awarded within this period, the JCC 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 JCC 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 JCC will post an intent to award notice at:
<https://courts.ca.gov/policy-administration/bidders-solicitations>

CRITERION	MAXIMUM NUMBER OF POINTS
Reasonableness of cost projections	30
Quality of work plan submitted	16
Acceptance of Terms and Conditions	15
Credentials of key personnel to be assigned to project	12
Experience of key personnel working on similar assignments	12
Ability to meet timing requirements to complete the work	8
Company Stability and Capabilities	4
Disabled Veteran Business Enterprise (DVBE) Incentive	3
Total Maximum Points	100

10.0 INTERVIEWS

The JCC 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 JCC's offices. The JCC will not reimburse Proposers for any costs incurred in traveling to or from the interview location. The JCC will notify eligible Proposers regarding interview arrangements.

11.0 CONFIDENTIAL OR PROPRIETARY INFORMATION

PROPOSALS ARE SUBJECT TO DISCLOSURE TO THIRD PARTIES AND MEMBERS OF THE PUBLIC PURSUANT TO APPLICABLE LAWS, INCLUDING PUBLIC DISCLOSURE PURSUANT TO RULE 10.500 OF THE CALIFORNIA RULES OF COURT. Except as required by law, the JCC 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 may be disclosed in response to applicable public records requests, or as otherwise required by law. Such disclosure may be made regardless of whether the proposal (or portions thereof) is marked "confidential," "proprietary," "copyright ©," or otherwise, and regardless of any statement in the proposal (a) purporting to limit the JCC's right to disclose information in the proposal, or (b) requiring the JCC 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. Submission of any proposal pursuant to this RFP constitutes acknowledgment and consent by the Proposer to the potential public disclosure of its proposal content, pursuant to this Section 12.0. 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 JCC's DVBE Rules and Procedures. Proposer will receive a DVBE incentive if, in the JCC'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 JCC 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 JCC’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 JCC 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.

If using DVBE subcontractors, the Proposer must complete and return to the JCC a copy of the post-contract certification form (<https://www.courts.ca.gov/documents/JBCM-Post-Contract-Certification-Form.docx>), promptly upon completion of the awarded contract, and by no later than the date of submission of Proposer’s final invoice to the JCC. If the Proposer fails to do so, the JCC will withhold \$10,000 from the final payment, or withhold the full payment if it is less than \$10,000, until the Proposer submits a complete and accurate post-contract certification form.

When a Proposer fails to comply with the post-contract certification requirement in this section and a payment withhold is applied to a contract, the JCC shall allow the Proposer to cure the deficiency after written notice. Notwithstanding the foregoing or any other law, if after at least 15 calendar days, but no more than 30 calendar days, from the date of the written notice the Proposer refuses to comply with the certification requirements, the JCC

shall permanently deduct \$10,000 from the final payment, or the full payment if less than \$10,000.

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 PROTESTS

Any protests will be handled in accordance with Chapter 7 of the Judicial Branch Contracting Manual (see <https://courts.ca.gov/system/files/file/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 JCC to receive a solicitation specifications protest is the proposal due date. In order to be considered valid, all such protests must be submitted by email to: solicitations@jud.ca.gov and must indicate the Solicitation Number and Name of Your Firm in the subject line of your email.