

RFP Title: *Photography Services*

RFP Number: *LSD-2024-37-SB*

REQUEST FOR PROPOSALS

JUDICIAL COUNCIL OF CALIFORNIA

REGARDING:

RFP TITLE: PHOTOGRAPHY SERVICES

RFP NUMBER: LSD-2024-37-SB

PROPOSALS DUE:

October 2, 2024, NO LATER THAN ***1:00*** P.M. PACIFIC TIME

1.0 BACKGROUND INFORMATION

This Request for Proposal (RFP) describes a project requiring photography services and solicits your proposal to perform the services. The work to be performed consists of photography services that capture a group photo of the Judicial Council (approximately 30 members) and internal committee chairs, individual photos of newly appointed Judicial Council members, Distinguished Service and Aranda awardees, and council directors and management staff, and group photos with awardees and the Chief Justice.

2.0 DESCRIPTION OF SERVICES AND DELIVERABLES

The Judicial Council seeks the services of a person or entity with expertise in professional headshots, corporate photography for individuals, and event photography for the following:

Event: Individual and group photos of Judicial Council Members, Distinguished Service Award recipients, and council staff

Location: Judicial Council of California
455 Golden Gate Ave
San Francisco, CA 94102

Dates and Time: Thursday, November 14, 2:00 p.m. to 5:00 p.m. (estimated, subject to change)

The photography session is scheduled for the indicated date and time; however, changes in the schedule of the Chief Justice or the Judicial Council may require changes in the date and/or time of the photography session necessitating flexibility in the schedule of the photographer. If rescheduling is necessary, it will most likely be for a different time within the same day the photography session was originally scheduled. Although scheduling changes may be known as much as a week ahead of time, the Judicial Council reserves the right to make scheduling changes on shorter notice. Respondents to this RFP (“Proposer(s)”) must acknowledge this scheduling issue, describe how they will handle this need for flexibility, and price their services accordingly.

All changes to the date and/or time of a photography session will be mutually agreed to in writing by the parties. In the event the parties cannot agree in writing to a delayed or rescheduled session, the Judicial Council may elect to terminate the contract in its entirety for convenience and pursue arrangements with another photographer.

I. Work to be Performed: The photography session will generate photos of the Judicial Council, Executive Office, directors and management staff, and other group photos mentioned above. The duration of the shoot is generally expected to be two (2) to three

(3) hours. Photos will be used in print media and any other purpose that the Judicial Council elects.

II. Deliverables: Produce color (RGB) high-resolution digital images in RAW and JPEG formats.

III. Deadline for Deliverables: Same-day delivery of services and images, or as rescheduled by parties' mutual agreement, usually during the same week.

IV. Judicial Council Responsibilities:

- A. A Judicial Council staff person will provide a short briefing via telephone prior to the shoot.
- B. A Judicial Council staff person will meet photographer onsite after photographer's clearance of building security procedures to escort photographer to the shoot site.
- C. A Judicial Council staff person will provide subjects' initial and general direction on placement for photo shoot.
- D. A Judicial Council staff person will act as director of the shoot to ensure it is timely and successful.
- E. A Judicial Council staff person will assist at the scene with identifying subjects and setting up desired shots.
- F. Judicial Council graphics staff will assist in choosing the best shot and with uploading images to the Judicial Council's designated computer/device. Judicial Council staff will provide photographer with examples of desired end-product from previous shoots and photographer will be expected to produce photographs of similar quality.

V. Photographer Responsibilities:

- A. Arrive in the building and clear mandatory building security screening at least one (1) hour prior to scheduled shoot time to meet Judicial Council staff to review shoot logistics. Photographer should anticipate and build in the time it will take for people and equipment to clear building security.
- B. Photographer will set up lighting, wide-angle lens, and any other equipment needed for a shoot in a limited indoor space.
- C. Immediately following the shoot, photographer will upload images onsite using photographer's USB compatible card reader or other image transfer device to a computer designated by Judicial Council staff.
- D. Photographer will have access to the shoot location for no more than approximately 30 minutes prior to the shoot. During this time, the photographer will set up all equipment.

- E. Photographer is expected to provide subjects with final directions necessary to take the photographs and not engage in unnecessary conversations with subjects during the shoot.
- F. Following the shoot, the photographer is expected to break down all equipment and clear area within 15 minutes.
- G. Due to the fluidity of the Chief Justice's and Judicial Council's schedules, longer or shorter wait times may occur. Judicial Council staff will communicate these updates to the photographer.
- H. In order to protect the health of employees and staff, masks or face coverings are strongly recommended indoors at all times, regardless of vaccination status. Masks/face coverings should be worn properly, completely cover the nose and mouth and fit snugly against the sides of the face and around the nose. The Judicial Council will follow city or state COVID-19 mandates at the time of the photo session.
- I. The photographer must also self-screen for symptoms or other risk factors of COVID-19, using the following questions. If "yes" is answered for any of the questions, entry into the facility will be denied and services will be rescheduled for an alternate date. Masks or face coverings will be required indoors at all times, regardless of vaccination status.
 - 1. Have you experienced any of the following symptoms in the past 48 hours: fever or chills, cough, shortness of breath or difficulty breathing, fatigue, muscle or body aches, headache, new loss of taste or smell, sore throat, congestion or runny nose, nausea or vomiting, diarrhea?
 - 2. Have you been in close physical contact in the last 14 days with anyone who is known to have laboratory-confirmed COVID-19 OR anyone who has any symptoms consistent with COVID-19?
 - 3. Are you isolating or quarantining because you may have been exposed to a person with COVID-19 or are worried that you may be sick with COVID-19?
 - 4. Are you currently waiting on the results of a COVID-19 test?
 - 5. Have you traveled in the past 10 days?

VI. Rights: The photographer will assign their intellectual property rights exclusively to the Judicial Council to use the photos in all media, and for any other purpose, for an unlimited period of time (i.e., in perpetuity). Such assignment of rights means the photographer will not be able to use the images for their own or any third party's purposes without advance written permission from the Judicial Council.

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.

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EVENT	DATE
RFP issued	<i>September 4, 2024</i>
Deadline for questions to solicitations@jud.ca.gov	<i>September 13, 2024 No later than 1:00 PM Pacific Time</i>
Questions and answers posted to www.courts.ca.gov/rfps.htm	<i>September 18, 2024</i>
Latest date and time proposal may be submitted to solicitations@jud.ca.gov (Include RFP number and title in subject line)	<i>October 2, 2024 No later than 1:00 PM Pacific Time</i>
Evaluation of proposals (<i>estimate only</i>)	<i>October 3, 2024 – October 9, 2024</i>
Notice of Intent to Award (<i>estimate only</i>)	<i>October 11, 2024</i>
Negotiations and execution of contract (<i>estimate only</i>)	<i>October 11, 2024 – October 31, 2024</i>
Contract start date (<i>estimate only</i>)	<i>November 1, 2024</i>
Contract end date (<i>estimate only</i>)	<i>November 30, 2024</i>

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: Judicial Council Services Short Form Agreement	If selected, the person or entity submitting a proposal (the “Proposer”) must sign this Judicial Council Services Short Form agreement (the “Terms and Conditions”).
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: Services Proposal Form	The Proposer must complete this form and attach it to the Proposal.
Payee Data Record Form (STD 204)	This form contains information the Judicial Council requires in order to process payments and must be submitted with the proposal. The Payee Data Record Form (STD 204) can be found at the following link: STD 204 - Payee Data Record (ca.gov)
Payee Data Record Supplement Form (STD 205)	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. The Payee Data Record Supplement Form (STD 205) can be found at the following link: STD 205 - Payee Data Record Supplement (ca.gov)

5.0 SUBMISSIONS OF PROPOSALS

- 7.1 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.
- 7.2 The Proposer must submit its proposal in two parts, the technical proposal and the cost proposal.

- a. The Proposer must submit **an electronic copy** of the Technical Proposal. The proposal must be signed by an authorized representative of the Proposer. The Technical Proposal must be submitted via email to solicitations@jud.ca.gov. The Proposer must write the RFP title and number in the subject line of the email.
 - b. The Proposer must submit **an electronic copy** of the Cost Proposal. The proposal must be signed by an authorized representative of the Proposer. The Cost Proposal can be submitted in the same email to solicitations@jud.ca.gov as the Technical Proposal but should be a **separate attachment** from the Technical Proposal and should be marked “**COST PROPOSAL.**” The Proposer must write the RFP title and number in the subject line of the email.
- 7.3 Proposals must be delivered by the date and time listed on the coversheet of this RFP. For the purposes of this RFP, proposals shall be transmitted only by email to solicitations@jud.ca.gov.
- 7.4 Submission acceptance will be based on the date and time the emails are received by the Judicial Council. Emails must be received **prior** to the due date and time, or the proposal will not be accepted.
- 7.5 The Judicial Council 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 Judicial Council or the State of California responsible for the cost of preparing the proposal. Submitted proposals may be retained for official files and may become a public record.

8.0 PROPOSAL CONTENTS

- 8.1 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. 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 for whom the Proposer has conducted similar services. The judicial Council may check references listed by the Proposer.
- e. **Three (3)** samples of photography in JPEG, GIF or PDF formats.
- 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 proposed addition, deletion, or other modification to the Terms and Conditions.
 - 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 Judicial Council, 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 Payee Data Record Form (**STD 204**) 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>
 - iv. If Proposer is a California corporation, limited liability company (“LLC”), limited partnership (“LP”), or limited liability partnership (“LLP”), proof that Proposer is in good standing in California. If Proposer is a foreign corporation, LLC, LP, or LLP, and Proposer conducts or will conduct (if awarded the contract) intrastate business in California, proof that Proposer is qualified to do business and in good standing in California. If Proposer

is a foreign corporation, LLC, LP, or LLP, and Proposer does not (and will not if awarded the contract) conduct intrastate business in California, proof that Proposer is in good standing in its home jurisdiction.

- v. Copies of the Proposer's (and any subcontractors') current business licenses, professional certifications, or other credentials.

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

Proposers should provide pricing in the following categories on Attachment 6, Photography Services Proposal Form:

- Either a fixed price per session rate OR an hourly rate (not both). Note: In the event that a photographer proposes an hourly rate, the photographer's billable time will not commence until one-half hour prior to the scheduled, or rescheduled, shoot time set forth in the contract.
- Costs due to changes (date and/or time) in scheduling (these costs would be in addition to photographer's either fixed price per session rate or hourly rate should scheduling changes occur):
 - o One-week or greater notice
 - o Three to five business days' notice
 - o 48-hours or less notice
- Additional expenses for rental equipment and any other costs (please itemize).
- Travel reimbursement of .58 per mile, up to \$200 will be provided.

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>.

CRITERION	MAXIMUM NUMBER OF POINTS
<i>Quality of work plan submitted</i>	20
<i>Experience on similar assignments</i>	15
<i>Cost</i>	40
<i>Acceptance of the Terms and Conditions</i>	10
<i>Ability to meet timing requirements to complete the project</i>	15

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 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 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 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

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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. 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.

13.0 DISABLED VETERAN BUSINESS ENTERPRISE INCENTIVE

The Judicial Council has waived the DVBE incentive in this solicitation.

14.0 PROTESTS

Any protests will be handled in accordance with Chapter 7 of the Judicial Branch Contracting Manual (see www.courts.ca.gov/documents/jbcl-manual.pdf). Failure of a Proposer to comply with the protest procedures set forth in that chapter will render a protest inadequate and non-responsive and will result in rejection of the protest. The deadline for the Judicial Council to receive a solicitation specifications protest is the proposal due date. Protests must be sent to: Solicitations@jud.ca.gov.

(Indicate Solicitation Number and Name of Your Firm in the Subject line of your email.)