

REQUEST FOR INFORMATION

*SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN BERNARDINO*

**REGARDING:**

RFI 21-13 COMMUNICATION ACCESS REALTIME TRANSLATION AND TEMPORARY ASSIGNMENT COURT REPORTER SERVICES

**RESPONSES DUE: May 3, 2021**

1. **BACKGROUND INFORMATION**

The California Legislature recently amended the California Labor Code to allow an individual acting as a sole proprietor, or a business entity formed as a partnership, limited liability company, limited liability partnership, or corporation (“Business Service Provider”) to contract to provide services to another such business or to a public agency or quasi-public corporation (“Business-to-Business Contracting Relationship”). Pursuant to said amendment, the Superior Court of California, County of San Bernardino (“Court”) seeks information relevant to establishing Business-to-Business Contracting Relationships with Potential Business Service Providers.

**Potential Business Service Providers must be sole proprietors or business entities formed as partnerships, limited liability companies, or corporations. Potential Business Service Providers must also meet the criteria described in section 3.0: Description of Business-to-Business Contracting Relationship Services Sought.**

A copy of this RFI will be posted on the following websites: [*https://caleprocure.ca.gov/pages/Events-BS3/event-search.aspx*](https://caleprocure.ca.gov/pages/Events-BS3/event-search.aspx)and [*http://www.sb-court.org/GeneralInfo/RequestforProposal.aspx*](http://www.sb-court.org/GeneralInfo/RequestforProposal.aspx).

1. **STATEMENT OF NEED**

Communication Realtime Access Communications (“CART”) Services

The Americans with Disabilities Act (ADA) and State law require all state and local governmental entities, including courts, to provide reasonable accommodations for persons with disabilities. The ADA benefits people who have an interest in court activities, programs and services. In 1996 the Judicial Council of California, the policy-making body for the courts, adopted California Rule of Court 1.100 to implement the ADA in the state court system.

The Court is dedicated to ensuring that all qualified individuals with disabilities have equal and full access to the judicial system. The Court has designated an ADA Coordinator at each Court facility to carry out that facility's compliance with the nondiscriminatory requirements of the ADA.

Under the ADA, State law, and the California Rules of Court, a person may be entitled to a reasonable accommodation if he/she is a person with a disability. This means that person has a physical or mental impairment that limits one or more major life activities. CART is one type of accommodation provided by the Court.

Temporary Assignment Court Reporter Services

Coverage for employee court reporter absences or vacancies has historically been provided by independent Pro Tempore Court Reporters. However, recent amendments to the California Labor Code establish a new Business-to-Business Contracting Relationship model for hiring court reporters to provide temporary assignment coverage.

1. **DESCRIPTION OF BUSINESS-TO-BUSINESS CONTRACTING RELATIONSHIP SERVICES SOUGHT** 
   1. CART SERVICES: Business Service Provider will provide word-for-word speech-to-text interpreting service (real-time translation services) or Communication Access Realtime Translation Services (CART services) for the Court. Business Service Provider will perform services similar to that of a Court Interpreter/Translator in providing services directly to person(s) requiring real-time translation.
   2. TEMPORARY ASSIGNMENT COURT REPORTER SERVICES: Business Service Provider will attend court sessions and make verbatim stenographic records of the proceedings using stenographic equipment, computer aided transcription equipment and possible real time software. Business Service Provider will provide immediate read back of all or portions of the record upon request; review, certify and file printed transcripts of court proceedings and provide daily transcripts as needed; receive and process transcript requests; estimate cost of transcripts; and maintain a variety of paper or and/or electronic files.
   3. Consistent with the nature of the work, daily hours of service required by the Business Service Provider may vary. Consequently, the Court typically cannot guarantee a daily minimum or maximum amount of service hours to be performed under a Business-to-Business Contracting Relationship. However, the Court invites Potential Business Service Providers to submit feedback and information relevant to establishing a Business-to-Business Contracting Relationship for CART services and/or Temporary Assignment Court Reporter Services.
   4. Services provided under a Business-to-Business Contracting Relationship will be governed by a written contract executed by the Business Service Provider and the Court. The Court invites Potential Business Service Providers to submit feedback and information relevant to establishing the terms and conditions of a Business-to-Business Contracting Relationship for CART services and/or Temporary Assignment Court Reporter Services.
   5. Consistent with the time-sensitive nature of the services sought, Business Service Providers may be assigned to perform services for a variety of proceedings and in any courtroom in the courthouse(s) where Business Service Provider has agreed to provide services. Remote appearances may be possible for CART services if the appropriate technology is available and the Court and the Business Service Provider agree that services may be provided remotely.
   6. **License and Certifications.** Business Service Provider must be licensed by the California Court Reporters Board as a Certified Shorthand Reporter and must be in good standing throughout the Business-to-Business Contracting Relationship. To provide CART services, Business Service Provider must have at least one of the following certifications and must be in good standing throughout the Business-to-Business Contracting Relationship: Certified Realtime Capitioner (CRC), California CART Generalist (CCG), Certified Realtime Generalist (CRG), or a certified Shorthand Reporter license.
   7. **Business-to-Business Contracting Relationship Requirements:** Business Service Providers must be sole proprietors or business entities formed as partnerships, limited liability companies, or corporations, and remain so while providing services.
   8. **Work Product.** Business Service Provider must submit the Per Diem Claim Form to the hiring party at the end of their assignment. Business Service Providers providing assignment coverage may also be required to provide a transcript, depending upon the nature of the hearing and order of the Court.
   9. **Equipment and Supplies.**  Business Service Provider is responsible for purchasing, maintaining, and securing of all equipment and supplies needed to perform contracted services.
2. **INFORMATION REQUESTED**

Information relevant to establishing a Business-to-Business Contracting Relationship with a Business Service Provider for CART services and Temporary Assignment Court Reporter Services to the Court. Specifically, the Court seeks information from Potential Business Service Providers concerning rates of pay sought, hours available to work on any court day, and identification of courthouse(s) where Business Service Provider is willing to provide contracted services. The Court has several courthouses located throughout San Bernardino County where services may be required, including Barstow, Fontana, Joshua Tree, Rancho Cucamonga, Victorville, and multiple locations in San Bernardino. Additionally, the Court invites any other information that potential Business Service Providers deem relevant to establishing terms and conditions of a Business-to-Business Contracting Relationship with the Court for CART services and Temporary Assignment Court Reporter Services to the Court. *Respondents may provide requested information for CART services or Temporary Assignment Court Reporter Services or both.*

1. **TIMELINE TO RESPOND**

All responses must be received by May 3, 2021.

1. **INFORMATION EXCHANGE**

After the timeframe to respond to this RFI has closed, respondents to the RFI may be contacted and asked to participate in an information exchange with the Court. The objective will be to gain additional feedback and information relevant to establishing terms and conditions for a Business-to-Business Contracting Relationship with the Court for CART services and Temporary Assignment Court Reporter Services to the Court.

The Court may require clarification or accept or request new or additional information from any or all interested parties without offering other interested parties the same opportunity, and to interview any or all interested parties

1. **QUESTIONS**

Questions must be submitted in writing to [Purchasing@sb-court.org](mailto:Purchasing@sb-court.org). Interested parties must not contact any other Court judicial officer or staff regarding this RFI except as provided above.

1. **CHANGES**

The Court reserves the right to amend or modify one or more provisions of this RFI prior to the closing day by posting written notice online at: [*https://caleprocure.ca.gov/pages/Events-BS3/event-search.aspx*](https://caleprocure.ca.gov/pages/Events-BS3/event-search.aspx)and [*http://www.sb-court.org/GeneralInfo/RequestforProposal.aspx*](http://www.sb-court.org/GeneralInfo/RequestforProposal.aspx).

1. **DISCLAIMER – NO SOLICITATION**

This is a request for information only and is not a commitment or solicitation to purchase goods or contract for services. This request for information shall not be construed as a request or authorization to perform work at the Court’s expense, nor to serve as the basis for any claim whatsoever for reimbursement for any costs for efforts associated with the preparation of responses submitted to this RFI. Submission of a response constitutes acknowledgement that the respondent has read and agrees to be bound by such terms.

1. **CONFIDENTIAL OR PROPRIETARY INFORMATION**

Responses are subject to disclosure pursuant to applicable provisions of the California Public Contract Code and Rule 10.500 of the California Rules of Court. All information in responses may be disclosed in response to applicable public records requests. Such disclosure will be made regardless of whether the response (or portions thereof) is marked “confidential,” “proprietary,” or otherwise, and regardless of any statement in the response (a) purporting to limit the Court’s right to disclose information in the response, or (b) requiring the Court to inform or obtain the consent of the respondent prior to the disclosure of the response (or portions thereof). Respondents are accordingly cautioned not to include confidential, proprietary, or privileged information in its response(s).