

JUDICIAL COUNCIL OF CALIFORNIA

ADDENDUM TO QUESTIONS AND ANSWERS REGARDING

Services for Telephone Appearances

RFP#: TCAS-2022-01-MS

- 1) Approximately what percentage of the courts lack a phone line, internet connection and computer where they would take calls?

All courts have telephones within the court facilities. The type of telephone solution varies within each court and courthouse. Vendors will need to work with the individual courts on their telephone solution.

- 2) Is video service any part of this offering?

No

- 3) If the JCC executes an RFP with a provider, and the provider earns \$100 of service and another provider provides \$900 of service, the providers are responsible for 10% and 90%, respectively, of the FY 2009-2010 amount, even though they are operating at a loss?

The FY 2009-2010 amount will be apportioned among the vendors, as provided in Government Code section 72011(c)-(d).

- 4) If the JCC executes an RFP with a provider, and the provider earns no income, is the provider responsible for a portion of the FY 2009-2010 amount?

The FY 2009-2010 amount will be apportioned among the vendors, as provided in Government Code section 72011(c)-(d).

- 5) Please provide an estimate of the number of calls on an annual basis.

Call volume varies by court. Courts can provide estimated call volume if they enter into a Participation Agreement.

- 6) In 9.2.3, you request "estimated base costs". Please provide further description of what is being requested.

The “estimated base costs” include the per call cost to run the telephonic appearance services, including the cost of a telephone line or conference line. This does not include the cost of hardware or moderator service.

- 7) By way of informational background, CourtCall, Zoom, Teams, LACourtConnect, WebEx, BlueJeans and other platforms offer participants the ability to join a session by using a telephone number (either toll or toll-free) in addition to allowing participants to join a session via audio and/or video via an internet connection. As a result, there are instances on all such platforms where all participants (including the judge) join a session by using a telephone number (with no internet connection). With this background in mind, CourtCall has the following questions.

This question presents hypothetical situations that are not before the Judicial Council, seem unlikely for vendors responding to this RFP, and appear speculative. Specifically, this RFP is for telephone appearance services. Please see the definition of “telephone appearance” included in section 1.0 of the RFP.

- a) If a judge joins a session on any such platform by using a telephone number, is that considered a “telephonic appearance” for which a fee is due from participants who join the session using a telephone number?
- b) Would this scenario be considered a “telephonic appearance” for which a fee is due from participants who join the session via an internet connection?
- c) Would this scenario be considered a “telephonic appearance” for which a fee is due from participants who join the session using a telephone number without video participation via an internet connection?
- d) Would this scenario be considered a “telephonic appearance” for which a fee is due from participants who join the session using a telephone number to receive and transmit audio while also joining the session via an internet connection to receive and transmit video?
- 8) At page 3, the RFP states: “For purposes of this RFP, a “telephone appearance” or “telephonic appearance” is an appearance that can only be made using a telephone number.” Please more specifically define the phrase “is an appearance that can only be made using a telephone number”. For example, and consideration but without limiting the scope of a reply:

See response to question 7.

- a) Is a session defined as a “telephonic appearance” where technology at the court or other location limits a judge’s ability to only using a telephone number?
- b) Is a session defined as a “telephonic appearance” where the preference of a judge limits the session to being accessed only using a telephone number?
- c) Is a session defined as a “telephonic appearance” where one or more of the participants has a technology limitation that limits access to only using a telephone number?
- d) Is a session defined as a “telephonic appearance” where one or more of the participants has a preference for using a telephone number?

- 9) If a judge joins a session using a telephone number, is that considered a “telephonic appearance” for each and all of the participants regardless of whether the participants join the session using a telephone number or via an internet connection?

See response to question 7.

- 10) If a judge joins a session by using a telephone number and two participants join by using a telephone number and one participant joins via an internet (audio) connection how many fees are due?

See response to question 7.

- a) Three because the judge used a telephone number and therefore the session is considered a “telephonic appearance” because that is how the judge joined.
- b) Two because two participants used a telephone number (and there is no charge to the party who joined audio via internet connection).
- c) Other – please explain.
- 11) If a judge joins a session via an internet connection with audio being transmitted and received via that internet connection but does not transmit or receive video is that considered a “telephonic appearance” for which a fee is due for those participants who join the session via of internet connection?

See response to question 7.

- 12) If a judge joins a session via an internet connection with audio being transmitted and received via that internet connection but does not transmit or receive video is that considered a “telephonic appearance” for which a fee is due for those participants who join the session by using a telephone number?

See response to question 7.

- 13) If a judge joins a session via an internet connection with audio and video being transmitted and received via that internet connection, is that considered a “telephonic appearance” for which a fee is due from those participants who join the session by using a telephone number?

- a) In this scenario is a fee due from those who join the session via an internet connection instead of by using a telephone number?

See response to question 7.

- 14) If a judge joins a session via an internet connection and either transmits or receives video but also joins the session by using a telephone number in order to receive and transmit audio, is that considered a “telephonic appearance” for which a fee is due from those who join the session via an internet connection?

See response to question 7.

- a) In this scenario, is a fee due from those who join the session by using a telephone number?

b) In this scenario, is a fee due from all participants, regardless of whether they join the session via the internet or by using a telephone number?

- 15) Assuming a single Contractor completes a single telephonic appearance in a given quarter, and there are no other Contractors, is that single Contractor obliged to pay the entire \$235,960 apportionment for that quarter?

The FY 2009-2010 amount will be apportioned among the vendors, as provided in Government Code section 72011(c)-(d).

- 16) Historically, the amount of revenue that is uncollected in association with fee waivers approximated \$442,800 in 2018, \$506,700 in 2019, 637,300 in 2020 and \$401,380 2021. Should those responding to the RFP anticipate an increase or decrease in fee waiver volume during the contract term?

The Judicial Council does not have any basis to make this type of projection. Fee waivers are determined on a case-by-case basis.

- 17) Regarding Section 2.2 Administration and Coordination of Services for Telephone appearances:

2.2.1 Will proposals be considered that would specify a minimum number of courtrooms that are required to utilize the service by a participating court?

No, section 1.0 of the RFP clarifies requirements:

“A master agreement does not obligate the trial courts to enter into a Participation Agreement with the Contractor, nor does it guarantee that the Contractor will receive a specific volume of business. No Contractor may refuse to enter into a Participation Agreement if a trial court elects to enter into such an agreement.”

2.2.1.2 Can you provide examples of, or more detail on what information is conveyed in notices and updates to attorneys and other others of their calendar status?

Notifications may include email or physical reminders with information on how to access a telephonic appearance, as well as the date and time of a scheduled telephone appearance.

2.2.1.3 Can you provide additional detail on the forms, aids and other materials that must be prepared and distributed?

Contractor should provide training material and other user aids on how to use and access telephonic appearance services.

2.2.1.4 Is the vendor required to complete forms, or merely distribute them?

Contractor is responsible for ensuring the court receives or has access to the telephonic appearance calendar two days prior to the matter on calendar.

2.2.1.5 Is the Judicial Council receptive to an alternative model that does not rely on live personnel?

Yes, a vendor can propose alternative models.

2.2.2 Is there an example of the calendar and case information data elements that might be available electronically? If not, will the JCC consider a bid, whereby the bidder, specifies the minimum requirements to provide a solution to an interested participating court? Most of the Superior Courts have modernized case management systems capable of exporting this data.

The Judicial Council will allow a bidder to specify minimum requirements for case information.

18) What was the number of telephonic appearances and corresponding revenue generated by all vendors over the last four years broken out on an annual and quarterly basis?

		2020-21				
		Q1	Q2	Q3	Q4	Total
Appearances		107,284	75,049	78,693	69,852	330,878
Revenue		\$ 10,084,696	\$ 7,054,606	\$ 7,397,142	\$ 6,566,088	\$ 31,102,532
		2019-20				
		Q1	Q2	Q3	Q4	Total
Appearances		87,235	83,380	86,633	31,915	289,163
Revenue		\$ 8,200,090	\$ 7,837,720	\$ 8,143,502	\$ 3,000,010	\$ 27,181,322
		2018-19				
		Q1	Q2	Q3	Q4	Total
Appearances		78,945	77,720	85,189	84,804	326,658
Revenue		\$ 7,420,830	\$ 7,305,680	\$ 8,007,766	\$ 7,971,576	\$ 30,705,852
		2017-18				
		Q1	Q2	Q3	Q4	Total
Appearances		77,131	75,569	81,621	81,161	315,482
Revenue		\$ 7,250,314	\$ 7,103,486	\$ 7,672,374	\$ 7,629,134	\$ 29,655,308

19) Can you include separately the revenue generated by the cancellation and late request fees?

The cancellation and late request fees revenue are retained by the vendor, and not currently reported to the Judicial Council.

20) What was the breakdown by the different Superior Courts (e.g. by county) of telephonic appearances and corresponding revenue generated by all vendors over the last four years broken out on an annual basis?

2020-21			2019-20			2018-19			2017-18		
County	Appearances	Revenue	County	Appearances	Revenue	County	Appearances	Revenue	County	Appearances	Revenue
Total			Total			Total			Total		
Alameda	3,132	\$ 294,408	Alameda	15,337	\$ 1,441,678	Alameda	19,147	\$ 1,799,818	Alameda	15,919	\$ 1,496,386
Alpine	5	\$ 470	Alpine	53	\$ 4,982	Alpine	52	\$ 4,888	Alpine	30	\$ 2,820
Amador	438	\$ 41,172	Amador	298	\$ 28,012	Amador	280	\$ 26,320	Amador	285	\$ 26,790
Butte	6,066	\$ 570,204	Butte	1,660	\$ 156,040	Butte	1,750	\$ 164,500	Butte	1,745	\$ 164,030
Calaveras	569	\$ 53,486	Calaveras	355	\$ 33,370	Calaveras	361	\$ 33,934	Calaveras	366	\$ 34,404
Colusa	286	\$ 26,884	Colusa	249	\$ 23,406	Colusa	311	\$ 29,234	Colusa	298	\$ 28,012
Contra Costa	20,024	\$ 1,882,256	Contra Costa	10,681	\$ 1,004,014	Contra Costa	11,558	\$ 1,086,452	Contra Costa	10,959	\$ 1,030,146
Del Norte	864	\$ 81,216	Del Norte	432	\$ 40,608	Del Norte	528	\$ 49,632	Del Norte	435	\$ 40,890
El Dorado	0	\$ -	El Dorado	0	\$ -	El Dorado	0	\$ -	El Dorado	2	\$ 188
Fresno	11,470	\$ 1,078,180	Fresno	6,231	\$ 585,714	Fresno	8,343	\$ 784,242	Fresno	8,312	\$ 781,328
Glenn	553	\$ 51,982	Glenn	254	\$ 23,876	Glenn	256	\$ 24,064	Glenn	211	\$ 19,834
Humboldt	474	\$ 44,556	Humboldt	1,199	\$ 112,706	Humboldt	1,457	\$ 136,958	Humboldt	1,533	\$ 144,102
Imperial	2,443	\$ 229,642	Imperial	872	\$ 81,968	Imperial	1,370	\$ 128,780	Imperial	1,589	\$ 149,366
Inyo	240	\$ 22,560	Inyo	231	\$ 21,714	Inyo	226	\$ 21,244	Inyo	232	\$ 21,808
Kern	11,828	\$ 1,111,832	Kern	7,263	\$ 682,722	Kern	8,169	\$ 767,886	Kern	7,591	\$ 713,554
Kings	2,156	\$ 202,664	Kings	1,681	\$ 158,014	Kings	2,169	\$ 203,886	Kings	2,079	\$ 195,426
Lake	1,616	\$ 151,904	Lake	895	\$ 84,130	Lake	1,016	\$ 95,504	Lake	969	\$ 91,086
Lassen	150	\$ 14,100	Lassen	194	\$ 18,236	Lassen	222	\$ 20,868	Lassen	271	\$ 25,474
Los Angeles	18,343	\$ 1,724,242	Los Angeles	83,004	\$ 7,802,376	Los Angeles	88,112	\$ 8,282,528	Los Angeles	80,414	\$ 7,558,916
Madera	1,545	\$ 145,230	Madera	1,482	\$ 139,308	Madera	1,835	\$ 172,490	Madera	1,877	\$ 176,438
Marin	0	\$ -	Marin	0	\$ -	Marin	0	\$ -	Marin	3,965	\$ 372,710
Mariposa	441	\$ 41,454	Mariposa	324	\$ 30,456	Mariposa	337	\$ 31,678	Mariposa	289	\$ 27,166
Mendocino	1,185	\$ 111,390	Mendocino	807	\$ 75,858	Mendocino	633	\$ 59,502	Mendocino	722	\$ 67,868
Merced	1,095	\$ 102,930	Merced	2,205	\$ 207,270	Merced	2,625	\$ 246,750	Merced	2,545	\$ 239,230
Modoc	326	\$ 30,644	Modoc	276	\$ 25,944	Modoc	288	\$ 27,072	Modoc	246	\$ 23,124
Mono	236	\$ 22,184	Mono	279	\$ 26,226	Mono	332	\$ 31,208	Mono	295	\$ 27,730
Monterey	4,185	\$ 393,390	Monterey	2,844	\$ 267,336	Monterey	3,052	\$ 286,888	Monterey	2,924	\$ 274,856
Napa	0	\$ -	Napa	1,567	\$ 147,298	Napa	1,651	\$ 155,194	Napa	1,510	\$ 141,940
Nevada	0	\$ -	Nevada	0	\$ -	Nevada	0	\$ -	Nevada	549	\$ 51,606
Orange	52,176	\$ 4,904,544	Orange	26,550	\$ 2,495,700	Orange	32,239	\$ 3,030,466	Orange	29,616	\$ 2,783,904
Placer	0	\$ -	Placer	0	\$ -	Placer	0	\$ -	Placer	0	\$ -
Plumas	469	\$ 44,086	Plumas	288	\$ 27,072	Plumas	251	\$ 23,594	Plumas	261	\$ 24,534
Riverside	0	\$ -	Riverside	13,988	\$ 1,314,872	Riverside	16,514	\$ 1,552,316	Riverside	21,237	\$ 1,996,278
Sacramento	1,698	\$ 159,612	Sacramento	5,017	\$ 471,598	Sacramento	5,155	\$ 484,570	Sacramento	5,351	\$ 502,994
San Benito	486	\$ 45,684	San Benito	322	\$ 30,268	San Benito	495	\$ 46,530	San Benito	582	\$ 54,708
San Bernardino	50,082	\$ 4,707,708	San Bernardino	22,244	\$ 2,090,936	San Bernardino	24,688	\$ 2,320,672	San Bernardino	22,751	\$ 2,138,594
San Diego	49,157	\$ 4,620,758	San Diego	16,216	\$ 1,524,304	San Diego	18,160	\$ 1,707,040	San Diego	17,620	\$ 1,656,280
San Francisco	17,698	\$ 1,663,612	San Francisco	5,904	\$ 554,976	San Francisco	5,547	\$ 521,418	San Francisco	4,958	\$ 466,052
San Joaquin	1	\$ 94	San Joaquin	5,294	\$ 497,636	San Joaquin	6,970	\$ 655,180	San Joaquin	6,557	\$ 616,358
San Luis Obispo	30	\$ 2,820	San Luis Obispo	3,714	\$ 349,116	San Luis Obispo	3,881	\$ 364,814	San Luis Obispo	3,606	\$ 338,964
San Mateo	3,560	\$ 334,640	San Mateo	3,909	\$ 367,446	San Mateo	4,866	\$ 457,404	San Mateo	4,645	\$ 436,630
Santa Barbara	562	\$ 52,828	Santa Barbara	4,345	\$ 408,430	Santa Barbara	4,949	\$ 465,206	Santa Barbara	5,038	\$ 473,572
Santa Clara	37,256	\$ 3,502,064	Santa Clara	15,930	\$ 1,497,420	Santa Clara	17,749	\$ 1,668,406	Santa Clara	16,738	\$ 1,573,372
Santa Cruz	1,276	\$ 119,944	Santa Cruz	1,952	\$ 183,488	Santa Cruz	2,101	\$ 197,494	Santa Cruz	2,163	\$ 203,322
Shasta	1,697	\$ 159,518	Shasta	693	\$ 65,142	Shasta	687	\$ 64,578	Shasta	729	\$ 68,526
Sierra	0	\$ -	Sierra	76	\$ 7,144	Sierra	85	\$ 7,990	Sierra	59	\$ 5,546
Siskiyou	975	\$ 91,650	Siskiyou	563	\$ 52,922	Siskiyou	773	\$ 72,662	Siskiyou	678	\$ 63,732
Solano	2,817	\$ 264,798	Solano	3,896	\$ 366,224	Solano	4,611	\$ 433,434	Solano	4,632	\$ 435,408
Sonoma	0	\$ -	Sonoma	1,693	\$ 159,142	Sonoma	2,784	\$ 261,696	Sonoma	2,717	\$ 255,398
Stanislaus	2,225	\$ 209,150	Stanislaus	4,432	\$ 416,608	Stanislaus	5,243	\$ 492,842	Stanislaus	5,205	\$ 489,270
Sutter	807	\$ 75,858	Sutter	415	\$ 39,010	Sutter	471	\$ 44,274	Sutter	392	\$ 36,848
Tehama	8	\$ 752	Tehama	109	\$ 10,246	Tehama	194	\$ 18,236	Tehama	185	\$ 17,390
Trinity	187	\$ 17,578	Trinity	229	\$ 21,526	Trinity	304	\$ 28,576	Trinity	267	\$ 25,098
Tulare	4,476	\$ 420,744	Tulare	3,444	\$ 323,736	Tulare	3,477	\$ 326,838	Tulare	3,175	\$ 298,450
Tuolumne	1,455	\$ 136,770	Tuolumne	697	\$ 65,518	Tuolumne	669	\$ 62,886	Tuolumne	614	\$ 57,716
Ventura	11,218	\$ 1,054,492	Ventura	4,147	\$ 389,818	Ventura	5,284	\$ 496,696	Ventura	5,095	\$ 478,930
Yolo	0	\$ -	Yolo	1,682	\$ 158,108	Yolo	1,662	\$ 156,228	Yolo	1,593	\$ 149,742
Yuba	892	\$ 83,848	Yuba	741	\$ 69,654	Yuba	769	\$ 72,286	Yuba	856	\$ 80,464
Totals	330,878	\$ 31,102,532	Totals	289,163	\$ 27,181,322	Totals	326,658	\$ 30,705,852	Totals	315,482	\$ 29,655,308

21) What was the number of telephonic appearances and corresponding revenue generated by all vendors over the last 8 years broken out on an annual basis?

Year	Appearances	Revenue
2013-14	274,734	\$ 25,824,996
2014-15	278,774	\$ 26,204,756
2015-16	296,184	\$ 27,841,294
2016-17	305,214	\$ 28,690,116
2017-18	315,482	\$ 29,655,308
2018-19	326,658	\$ 30,705,852
2019-20	289,163	\$ 27,181,322
2020-21	330,878	\$ 31,102,532

22) Can you provide the quarterly reports provided by all vendors over the course of the last four years?

Yes, the Judicial Council has the ability to provide quarterly reports.

- 23) Over the last 8 years, can you clarify how much (if any) vendors paid in addition to the \$20 revenue share per telephonic appearance each year? E.g., If in 2021 the vendors collectively generated \$2.5 million from telephonic appearances and paid the court \$500,000 for the corresponding revenue share; then the 2009-2010 Revenue Obligation additional money paid to the Court would have been \$443,840. We would like these figures for the last 8 years, but particularly for the last 4 years.

In addition to the \$20 revenue share, pursuant to GC 72011(c) the annual amount of \$943,840 revenue obligation has been paid by the vendor from FY 2012-13 to FY 2019-20. Payments are pending for FY 2020-21 and FY 2021-22 to date.

- 24) Which Superior Courts currently have telephonic equipment installed in their courthouse? Can you estimate the extent of this equipment that has been provided in each of these courts and the date that this equipment was installed? For instance, how many courtrooms, chambers and other rooms have speakerphones, microphones and telephone lines installed? Can you also specify which courts run Voice Over IP versus an analogue telephone line? We would like to get a sense of the age of the equipment in each of the courthouses.

All courts have telephones within the court facilities. The type of telephone solution varies within each court and courthouse. Contractors will need to work with the individual courts on their telephone solution.

- 25) On page 3, it is noted that "No Contractor may refuse to enter into a Participation Agreement if a trial court elects to enter into such an agreement." Does this mean that a Participating Trial Court will contact us if we are awarded the bid and then we must enter into a negotiated Agreement? or does this mean that should we solicit a court and if the court agrees to use us we cannot then withdraw?

If a Participating Court decides to enter into a Participation Agreement with a Contractor pursuant to an awarded Master Agreement, the Participating Court would contact the Contractor, and the Contractor may not refuse to enter into the Participation Agreement.

- 26) Does the Prevailing Wage under the DIR apply to anyone working on the project or just California Residents?

Prevailing wage applies regardless of residency status.

- 27) If we are awarded the bid (Master Agreement), do we need approval by the Judicial Council to publicize it?

Please see section 21 of Attachment 2 (General Terms and Conditions) to the RFP.

- 28) Is there a standard term (duration) in the Participation Agreement with the individual courts or is this court-specific?

The term of a Participation Agreement may vary from Court-to-Court but cannot extend beyond the term of the Master Agreement.

- 29) Does the obligation to pay a proportionate share of an amount equivalent to the revenues received from vendors providing services for telephone appearances from all Trial Courts in FY 2009-2010 come from only those revenues collected, or is there a minimum payment amount?

Under the current statutory structure, participating vendors would be obligated to pay the 2009-2010 Revenue Obligation.

- 30) How many vendors participated or were awarded a Master Agreement from the last RFP for Telephonic Appearance Services?

In the last RFP for telephonic appearance services, a master agreement was awarded to one vendor.

- 31) How many vendors entered into individual Agreement with Participating Courts in the last 4 years? If more than one, who were they?

In the last four years, master agreements have been in effect with one vendor. Participating Courts executed Participation Agreements to the master agreements with that vendor.

- 32) If we are awarded a Master Agreement, when would we need to have our insurance carrier specifically name the Judicial Council as a Beneficiary-after signing the Master Agreement or after signing a contract with the Participating Court prior to starting work?

Upon the execution of the Master Agreement, the Contractor's insurance policy would need to be endorsed to name the Judicial Council as an additional insured (see Attachment 2 to the RFP, section 14(E)).

- 33) Can the late Request Fee (Currently at \$30) and Cancellation Fee (Currently at \$5) also be set lower? Or are those fees fixed?

Yes, the late request fee and the cancellation fee can be set lower.

- 34) Does the current incumbent access the courts' WAN (Wide area network) or Guest Network; if not are telecom lines brought in by a telecom carrier? How many locations are using Hard wire connections?

All courts have telephones within the court facilities. The type of telephone solution varies within each court and courthouse. Contractors will need to work with the individual courts on their telephone solution.

- 35) Is there a preference for a specific phone model or manufacturer? As a example, Cisco, Polycom, Avaya?

All courts have telephones within the court facilities. The type of telephone solution varies within each court and courthouse. Contractors will need to work with the individual courts on their telephone solution.

- 36) Regarding the Toll-Free Number, what is the expected time to resolve a call?

All issues submitted to the Toll-Free line should be resolved prior to the scheduled telephonic appearance. If issues cannot be resolved, vendor should provide alternative solution for telephonic

appearance participant. The Toll-Free line must operate Monday through Friday, and access hours, at a minimum, must be 8:00 a.m. to 5:00 p.m. Pacific Time.

- 37) The RFP indicates "telephone appearances". Are you looking for a video conferencing proposal? We are a video conferencing company and can assist with remote appearances use case, wanted to be clear on what you are looking for i.e., telephone appearances=video conferencing? Please let me know.

The Judicial Council is not looking for a video conferencing proposal. This RFP is for telephone appearance services.