

# REQUEST FOR PROPOSAL FOR PURCHASE OF REMOTE INTERPRETER SYSTEM

## I. REQUEST FOR PROPOSAL

- A. **Defined.** The Minnesota District Courts are using a competitive selection process to select one or more vendors who can provide audio and/or video equipment which facilitates remote simultaneous language interpretation. Pricing for planning, installation, and training services on the use of remote interpreter equipment is also sought. A price proposal for the period March 1, 2009 through June 30, 2011 is requested. This is not a bid but a request for a proposal that could become the basis for negotiations leading to a contract with a designated vendor to provide the equipment and services as described in this document.
- B. **Right to Cancel.** The District Courts are not obligated to respond to any proposal submitted nor are they legally bound in any manner whatsoever by the submission of a proposal. The District Courts reserves the right to cancel or withdraw the request for proposal at any time if it is considered to be in their best interest. In the event the request for proposal is cancelled or withdrawn for any reason, the District Courts shall not have any liability to any proposer for any costs or expenses incurred in connection with this request for proposals or otherwise. The District Courts also reserve the right to reject any or all proposals, or parts of proposals, to waive any informalities therein, and to extend proposal due dates.

## II. PROJECT BACKGROUND.

- A. The District Courts throughout the state strive to provide high quality, cost effective, efficient and accurate interpreter services to non-English speaking customers. Currently the District Courts generally use on-site interpreters to meet the demand for non-English language interpretation. In many instances significant amounts of travel are required for interpreters to be present at a hearing. Interpreter costs are incurred unnecessarily because of travel to hearings which are resolved at the last minute. A remote, simultaneous interpreter system which can expand access to centralized interpreter services in a timely, accurate and reliable manner is being sought.
- B. The District Courts operate in 87 counties in Minnesota with communication and sound systems usually specified by the county boards in each of those counties. The county boards are responsible for facilities maintenance, typically including the sound and communication systems. The courts hold court sessions requiring interpretation services at more than 300 hearing locations within courthouses and alternative court locations. Additionally, interpreter services may be needed in court administrative offices. Three of the ten judicial districts involving 14 court locations within the seven county metro area are interested in proceeding with installations of interpreter equipment prior to June 30, 2009. Others may choose to proceed with installations during the course of the next two years as financial resources for the purpose are identified.

### **III. OBJECTIVE:**

- A. District Courts seek to install scalable remote audio and/or video interpreter systems that provide clear , audible communication between a remotely located interpreter and the court in proceedings held in multiple counties and court locations throughout Minnesota in a cost effective, reliable manner. The District Courts' prefer a system which allows for a simultaneous mode of communication.
- B. District Court personnel must be able to operate the system from a pre-designated room, court counter and also from one or more centralized interpreter centers, regardless of the location of the building or the county.
- C. The District Courts seek systems which can operate on a variety of communications technology, i.e., VoIP telephone systems, as well as TCP/IP connections.
- D. The interpreter system should provide administrative reports for tracking and usage data.
- E. Interpreters using the systems should be able to mediate the flow of communication and provide for confidential communication to District Court customers as well as public communication in the court area served.
- F. The systems must be capable of being expanded over time to handle activities in numerous local and remote locations in addition to the original installations.
- G. The system should contain safety features which protect the integrity of the communication between specific parties, the reliability of the communication for disruption, and the accuracy of the communication as well as any other state of the art protections available in the industry. Security settings should be able to protect access to District Courts records.
- H. The system once installed should require little additional maintenance. Where maintenance is required, the vendor should be available to provide maintenance.
- I. The system must be capable of connecting to the District Courts sound system.
- J. The system must allow for "confidential communications."
- K. The system must provide a visual indication that each channel is receiving a signal.
- L. The system must allow a centralized interpreter to switch headphone audio and monitor video among District Courtrooms using only the vendor's software application.
- M. Offline security will be handled physically via District Courts policy.

- N. The system should require minimal maintenance from either in house staff or vendors.
- O. System operation should be maintained even with the loss of network connectivity.

#### **IV. SCOPE OF THE EFFORT:**

- A. The District Courts are seeking remote simultaneous interpreter equipment, either audio or video, which will connect courtrooms with centralized interpretation capability. The connection between courtrooms and the centralized facility may occur within courthouses in the same county and between courthouses in different counties. The District Courts are also seeking costs proposals from vendors to design a coordinated system and install the remote simultaneous interpreter equipment and to coordinate with sound system technicians at various locations to ensure a high quality audio and/or video transmission.
- B. Because of the variety of communication systems, and the critical importance of the interpretation services to the District Courts' mission, the introduction of this equipment into the operations of the courts will occur as experience indicates the reliability and accuracy of the equipment and as costs permit. To that end and because of the variety of communications systems, the District Courts are seeking from vendors their best price offer as a discount from published equipment prices for up to a three year period. The pricing should include, if available, the cost of planning, installation, and training services. The option to use audio or video equipment will depend on cost. However, where possible a design that allows for subsequent addition of video to audio equipment or infrastructure is desired. Each central interpreting station should have access to all pre-designated District courtrooms and court counters.

Once pricing agreements are in place, the District Courts will determine the number of installations to be served initially. Vendors will be selected depending on the price and communications compatibility. The vendor will then be asked to assist the particular court(s) in configuring a system to link courts to remote locations from which the interpreting services will be provided. The vendor will be responsible for complete installation of the systems, including audio and/or video hardware, software and coordination of wiring installation and coordination with sound system technicians. If any file or other servers are a component of the system, the vendor will specify whether the vendor will assume responsibility for installation and setup of those servers and any associated costs. .

- C. The District Courts anticipate an installation of equipment in approximately fourteen court locations within the seven county metropolitan area prior to June 30, 2009. Within those court locations, equipment will be installed in 28 courtrooms, 14 clerk counters, and 14 conference rooms. Within the period covered by this request other court locations plan to install remote interpreter equipment, depending on availability of funds. The interpreter(s) will be accessed at one or more central location(s) regardless of where the courtroom is located. Those locations are in Hennepin and

Carver Counties initially. The interpreter access room will contain interpreter access stations and any related computer and/or communications hardware,

- D. One court person per court facility or work unit will be appointed to supervise all activities of remote interpreter equipment. That person will work closely with the determined vendor to interpret court needs at the location, facilitate communication with necessary court and county technical staff to identify communication and sound system specifications, and to facilitate installation integration. Additionally assigned staff will work with the vendor to create appropriate procedures for staff, facilitate preparation of training materials and train staff

## **V. PROJECT SCHEDULE.**

- A. The schedule for implementing the remote interpreter system in each of the District Court locations is dependent on a number of factors, including the availability of the vendor to identify the necessary equipment, local plans for converting the county/court communications technology or sound systems, and the availability of funding. It is the goal of the District Courts to choose a vendor or vendors soon after the response deadline for this Request for Proposal. Certain Court locations are planning to install interpreter equipment prior to June 30, 2009. Thereafter, courts will determine whether further installations are cost effective, in part based on the experience of the initial installations, and will contact appropriate vendors under the price agreements in place. Deadline for the returns of this Request for Proposal is March 15, 2009
- B. For installations which are projected to occur prior to June 30, 2009, the ability of a vendor to complete the installation is a critical factor in the selection of the vendor on this project. The District Courts believe that due to the size and complexity of the project that the vendor should be prepared to assign a project manager for the duration of the project. The project manager named in the proposal should be assigned for installations commenced prior to June 30, 2009.

## **VI. BUDGET LIMITATIONS:**

- A. State of Minnesota budgets are set on a biennial basis with the fiscal biennium ending on June 30 of each odd-numbered year. Therefore, projects must be structured so that distinct pieces of work can be completed within the current budget period, which ends June 30, 2009. The Courts will initiate purchase orders to vendors for installations after June 30, 2009 using purchase orders referencing the agreed upon master contract prices.

## VII. SUBMISSION REQUIREMENTS

### A. GENERAL REQUIREMENTS.

1. **Certificate of Insurance:** Each proposal shall contain acceptable evidence of compliance with the workers' compensation coverage requirements of § 176.181, subd. 2. Vendor's RFP response must include one of the following: (1) a certificate of insurance, or (2) a written order from the Commissioner of Insurance exempting you from insuring your liability for compensation and permitting him to self-insure the liability, or (3) an affidavit certifying that you do not have employees and therefore are exempt pursuant to Minn. Stat. §§ 176.011, subd. 10; 176.031; and 176.041.
2. **Affirmative Action Certification:** If the vendor's proposal exceeds \$100,000.00, the RFP response must include a completed Affirmative Action Statement and Certificate of compliance, which are attached as Appendix I.
3. **Non-collusion Affirmation:** Vendor must complete the Affidavit of Non-collusion (Appendix II) and include it with its RFP response.
4. **Contract Terms:** The Vendor's RFP response must include the Vendor's proposed pricing for equipment, installation, training, and maintenance services, a sample standard contract/master services agreement including licensing, nondisclosure, and billing/invoicing procedures. No work can be started until a contract has been signed by all necessary parties in accordance with State Court procurement and contract policies.
5. **Financial Stability:** Vendor's RFP must provide evidence of the Vendor's financial stability as an indicator of Vendor's ability to provide services irrespective of uneven cash flow. Financial stability information can be submitted as trade secret according to the rules specified in Section VIII.A.6 below.
6. **Presence in the Industry.** Because of the critical nature of interpretation services, the vendor must be able to demonstrate a history of stable operations within this industry.
7. **Trade Secrets:** Judicial Branch rules of public access permit vendors to submit trade secret information according to the following:
  - a) the evidence-of-vendor's-financial-stability must qualify as a trade secret under Minn. Stat. section 325C.01 or as defined in the common law;
  - b) the vendor submits the trade secret information on a separate document (but as part of their complete submission) and marks the document(s) containing only the trade secret information as "confidential;"

c) the trade secret information is not publicly available, already in the possession of the judicial branch, or known to or ascertainable by the judicial branch from third parties.

If a vendor's proposal leads to a contract, the following information will be accessible to the public: the existence of any resulting contract, the parties to the contract, and the material terms of the contract, including price, projected term and scope of work.

**8. Project Related Submission Requirements. Vendor's RFP must:**

*Below, the term "system" includes the hardware, software, and any other components that comprise a complete remote interpreter system.*

**The proposal submitted shall be formatted and sectioned according to the outline of this document.**

**a) SYSTEM**

- (1) The proposal shall include the official company name and address and indicate the type of entity, i.e., corporation, partnership, etc. The proposal shall also include the name, address, and telephone number of the person to receive correspondence and who is authorized to make decisions or represent the vendor. The proposal shall list the total number of years that the vendor has been in business and number of years under the present business name, along with a description of the vendor's operation, facilities, business, objectives, total number of employees, and number of employees anticipated to be assigned to this project. The proposal shall also list any subcontractors anticipated to perform work on this project.
- (2) The proposal must include cost estimates that are itemized to show separate prices for audio and video hardware, software licenses, support contracts, wiring, and any additional components of the system. Sample copies of the vendor's proprietary software licenses must be included with the proposal. The proposal must include copies of all system warranties and maintenance agreements.
- (3) The proposal must list any pending litigation relating to the vendor company, its parent or subsidiary, including but not limited to any pending litigation relating to its software, hardware, maintenance agreements, or installation services.
- (4) The proposal must include information regarding the vendor's policy on delivery or escrow of system software source code, formats, and structural layouts in case of insolvency. The proposal must include a high-level project plan with good-faith estimates of

the amount of time it will take to complete of the project. The plan must include milestones commencing the date the contract is signed and continuing through completion of the project.

- (5) The vendor must provide in the proposal references to at least three organizations where its system is installed and operational using a centralized interpreting architecture.
- (6) The proposal must include an overall technical description of how the system works, from voices being spoken into the microphones, through communications to the sound system, and up through the central interpreter location.
- (7) The vendor must provide a list of all tasks, infrastructure, or purchases the vendor expects from the District Courts in order to ensure a successful implementation.
- (8) The system must run on a Windows 2000 Professional or greater workstation operating system and be compatible with Windows 2000 or greater server operating system.
- (9) At the time court determines that it will install a system, the court will provide a description of the relevant communications and sound system components. The courts may enlist the assistance of the vendor in identifying the relevant equipment. In the event the vendor system cannot receive input from certain types of communications or sound system equipment, the vendor should specify those systems with which it is compatible and those with which it is not..
- (10) The proposal must specify how it ensures that the system will continue operating even with the loss of network connectivity.
- (11) The proposal must identify all types of wiring, it's starting and ending points, required to be installed for use of the system.
- (12) The proposal must identify the brand of server/storage equipment or workstations which would be required for a successful implementation and, the vendor's reasoning behind exclusive and/or preferred use of particular brands or models. The proposal must identify any additional physical building requirements the District Courts would need to provide or implement, such as air conditioning for servers or raised flooring for server room wiring, for the successful installation and operation of the system.
- (13) The proposal must include all components including monitoring stations for courtrooms necessary for a centralized interpreting architecture.

- (14) The proposal should describe the manner in which the system can be expandable to add video without need to change the installed audio recording system.
  - (15) The vendor must indicate a willingness to evaluate the usage of each courtroom and recommend sufficient numbers of microphones per courtroom to provide a quality record in each courtroom.
  - (16) The vendor must provide the District Courts with an estimate of minimum floor space for the centralized monitoring station.
  - (17) If there is a computer in the District Courtroom required for interpreting, the proposal must state whether other District Courts applications can be running on that computer while operating.
  - (18) The proposal must include a list of reports available through the system, if any.
  - (19) The proposal should indicate any additional important points for the District Courts to consider that are not identified in this Request for Proposal
- b) The proposal with respect to **maintenance** must include:
- (1) Telephone and onsite vendor support for a period of at least one year from implementation date.
  - (2) Service details, including response times, who is responsible for items, what procedures the District Courts should take in the event of a problem with the system, and the cost of future annual support contracts.
  - (3) A sample support agreement must be provided with the proposal.
  - (4) The vendor must supply the District Courts with a list of any spare replacement parts that it deems advisable for the District Courts to stock on hand.

c) **TRAINING**

- (1) The vendor must provide onsite initial training. The vendor should describe available training materials and onsite startup training for local system administrators, operators, and judicial staff. The training should cover tasks required of administrators, use of all software applications related to the remote interpreter system, and use of the system by staff and Judges
- (2) The vendor must provide copies of user manuals and training documents with the proposal. If these materials are considered trade secrets, they must be labeled as such.
- (3) The vendor must provide a description of the training approach used to implement new systems in a District Courts environment and a description of user responses to and critiques of the training.
- (4) The vendor should suggest what skills District Courts personnel need to learn for the successful implementation of the system, how District Courts personnel will be trained under the vendor's proposal, the subject matter, and the duration and location of training.
- (5) It is anticipated that future training will be conducted by District Courts staff. The vendor should identify training strategies that successfully prepare for in-house training.

d) **FUTURE EXPANSION**

- (1) The proposal must provide information as to the future direction of the vendor's product development.

**VII. PROPOSAL EVALUATION:**

- A. The Minnesota District Courts will evaluate all complete proposals received by the deadline. Incomplete proposals, late proposals, or proposals sent to any other address will not be considered. In some instances, an interview or presentation may be part of the evaluation process.
- B. Selection Committee. A selection committee composed of representative from various courts will evaluate the proposals and select the vendor(s) whose proposals offer feasible operating systems in Minnesota courts.
- C. The evaluation of all proposals shall be based upon deriving the "Best Value" for the District Courts. Best Value means achieving an appropriate balance between price and other factors that are key to a particular procurement. A procurement that obtains a low price but does not include other necessary qualities and features of the desired product or service does not meet the Best Value criterion. Factors upon which the proposals will be judged include, but are not limited to, the following:

1. Conformance to specifications as defined in this RFP.
2. Vendor's experience in implementing and supporting the similar systems.
3. Vendor's experience in operating in similar environments.
4. Vendor's general qualifications including such factors as organization size, financial position, and time in business.
5. Maintenance service availability and maintenance price.
6. Future direction of vendor with respect to new technology and research and development.
7. Implementation and training plan.
8. Minimal use of network bandwidth resources.
9. Ease of use for operators.
10. System cost estimate, including any hardware, software, services, or other items the District Courts would need to provide. An example of this would be server space and data backup solutions.

## **VIII. SUBMISSION OF PROPOSALS.**

- A. SEALED PROPOSALS AND NUMBER OF COPIES.** Your proposal must be submitted in writing in a sealed envelope to:

Pamela Kilpela  
4th Judicial District Court  
C-1200 Government Center  
300 South Sixth Street  
Minneapolis, MN 55487

The submission must include 5 paper copies and 1 electronic (PDF) copy. No facsimile submissions will be accepted.

- B. SIGNATURES.** Your proposal must be signed by, in the case of an individual, by that individual, and in the case of an individual employed by a firm, by the individual and an individual authorized to bind the firm.
- C. INK.** Prices and notations must be typed or printed in ink. No erasures are permitted. Mistakes may be crossed out and corrections must be initialed in ink by the person signing the proposal.
- D. DEADLINE.** Proposals must be received no later than **4:00 p.m. Central Standard (i.e., Minneapolis) time on March 15, 2009.** Proposals will be opened the

following business day and once opened become accessible to the public. All documentation shipped with the proposal, including the proposal, will become the property of the District Courts.

- E. **LATE PROPOSALS.** Late proposals will not be accepted.
- F. **QUESTIONS.** Questions about the RFP or the selection process must be in writing and directed to Pamela Kilpela, C-1200 Government Center, 300 South Sixth Street, Minneapolis, MN 55487 or by e-mail at [pam.kilpela@courts.state.mn.us](mailto:pam.kilpela@courts.state.mn.us). Other District Courts personnel are not allowed to discuss the Request for Proposal with anyone including responders before the proposal submission deadline.
- G. **SELECTION TIMELINE.** The tentative selection timeline is to select a vendor about April 1, 2009, to begin contract negotiations and have a contract completed by April 15, 2009.

APPENDIX I

**Affirmative Action Statement**  
**and**  
**Certification of Compliance**

**STATE OF MINNESOTA - AFFIRMATIVE ACTION STATEMENT**

If your response to the RFP is estimated to exceed \$100,000, you must complete the information requested:

**BOX A:**

1. Have you employed more than 40 full-time employees within Minnesota on a single working day during the previous 12 months?

YES  NO

If your answer is “NO,” proceed to BOX B. If your answer is “YES,” **your response will be rejected unless your firm or business has a Certificate of Compliance issued by the State of Minnesota, Commissioner of Human Rights, or has submitted an affirmative action plan** to the Commissioner of Human Rights for approval **by the time the responses are due** for any proposal estimated to exceed \$100,000.

2. Please check one of the following statements:

**YES**, we have a **current** Certificate of Compliance that has been issued by the State of Minnesota, Commissioner of Human Rights. (Include a copy of your certificate with your response.)

**NO**, we **do not have** a Certificate of Compliance; however, **we submitted an affirmative Action plan** to the Commissioner of Human Rights for approval on \_\_\_\_\_, . The plan must be approved by the Commissioner of Human Rights before any designation or agreement can be executed.

**NO**, we **have not submitted** a plan. If your plan is not submitted by the time the responses are due, your response will be rejected.

**NOTE:** Minnesota designations must have a certificate issued by the Minnesota Department of Human Rights. Affirmative Action plans approved by the federal government, a county, or a municipality must still be reviewed and approved by the Minnesota Department of Human Rights for a certificate to be issued.

**BOX B:**

1. Have you employed more than 40 full-time employees on a single working day during the previous 12 months in a state in which you have your primary place of business and that primary place of business is outside of the State of Minnesota, but inside the United States?

YES  NO

If your answer is “NO,” proceed to BOX C. If your answer is “YES,” **the state cannot execute a designation with your firm or business unless it is in compliance with the Minnesota Human Rights certification requirements. It is the sole responsibility of the firm or business to apply for and obtain a human rights certification prior to execution of a designation as applicable.** You may achieve compliance with the Human Rights Act by having either a current Certificate of Compliance issued by the State of Minnesota, Commissioner of Human Rights, or by certifying that you are in compliance with federal Affirmative Action requirements.

2. Please check one of the following statements:

- YES**, we have a current Certificate of Compliance issued by the Minnesota Department of Human Rights. (Include a copy of your certificate with your response.)
- YES**, we are in compliance with federal Affirmative Action requirements.
- NO**, we do not have a current Certificate of Compliance and we cannot certify that we are in compliance with federal Affirmative Action requirements.

**BOX C:**

1. If your answers to BOX A (Question 1) and Box B (Question 1) were “NO,” you are not subject to the Minnesota Human Rights Act certification requirement. Please, however, check one of the following:

- NO**, we have not employed more than 40 full-time employees within Minnesota on a single working day during the previous 12 months and we have not employed more than 40 full-time employees on a single working day during the previous 12 months in the state in which our primary place of business is located.
- We are a business with our primary place of business outside of the United States that has not employed more than 40 full-time employees within Minnesota on a single working day during the previous 12 months.

For further information regarding Minnesota Human Rights requirements, contact the Department of Human Rights, Compliance Services, 190 East 5th Street, Suite 700, St. Paul, MN 55101; Voice: 651.296.5663; Toll Free: 800.657.3704; or TTY: 651.296.1283. For further information regarding federal Affirmative Action requirements, call 800.669.4000 or visit its web site at <http://www.eeoc.gov/>.

**By signing this statement, the Proposer certifies that the information provided is accurate.**

**NAME OF FIRM:** \_\_\_\_\_

**AUTHORIZED SIGNATURE:** \_\_\_\_\_

**TITLE:** \_\_\_\_\_

**DATE:** \_\_\_\_\_

## **STATE OF MINNESOTA - AFFIRMATIVE ACTION CERTIFICATION OF COMPLIANCE**

The Minnesota Human Rights Act (Minn. Stat. § 363.073) divides the designation compliance program into two categories. Both categories apply to any designations for goods or services in excess of \$100,000.

The first category applies to businesses that have had more than 40 full-time employees within Minnesota on a single working day during the previous 12 months. The businesses in this category must have submitted an Affirmative Action plan to the Commissioner of the Department of Human Rights prior to the due date of the response and must have received a Certificate of Compliance prior to the execution of a designation.

The second category applies to businesses that have had more than 40 full-time employees on a single working day in the previous 12 months in the state in which they have their primary place of business. The businesses in this category must have either a current Certificate of Compliance previously issued by the Department of Human Rights or certify to the STATE that they are in compliance with federal Affirmative Action requirements before execution of a designation. For further information, contact the Department of Human Rights, 190 East 5th Street, Suite 700, St. Paul, MN 55101; Voice: 651-296-5663; Toll Free: 800-657-3704; or TTY: 651-296-1283.

Minnesota businesses must have a current Certificate of Compliance or submitted an affirmative action plan by the time proposals are due, or their proposal will be rejected.

The STATE is under no obligation to delay the execution of a designation until a business has completed the Human Rights certification process. It is the sole responsibility of the business to apply for and obtain a Human Rights certificate prior to execution of a designation, as applicable.

**APPENDIX II**

**STATE OF MINNESOTA  
AFFIDAVIT OF NONCOLLUSION**

I swear (or affirm) under the penalty of perjury:

1. That I am the Proposer (if the Proposer is an individual), a partner in the company (if the Proposer is a partnership), or an officer or employee of the responding corporation having authority to sign on its behalf (if the Proposer is a corporation);
2. That the attached proposal submitted in response to the \_\_\_\_\_ Request for Proposals has been arrived at by the Proposer independently and has been submitted without collusion with and without any agreement, understanding or planned common course of action with, any other Proposer of materials, supplies, equipment or services described in the Request for Proposal, designed to limit fair and open competition;
3. That the contents of the proposal have not been communicated by the Proposer or its employees or agents to any person not an employee or agent (including a partner) of the Proposer and will not be communicated to any such persons prior to the official opening of the proposals; and
4. That I am fully informed regarding the accuracy of the statements made in this affidavit.

Proposer's Firm Name: \_\_\_\_\_

Authorized Signature: \_\_\_\_\_

Date: \_\_\_\_\_