



**STATE OF TENNESSEE
ADMINISTRATIVE OFFICE OF THE COURTS
REQUEST FOR PROPOSALS # AOC-30227-2022-0001
AMENDMENT # 1
FOR STATEWIDE COMPREHENSIVE TRIAL COURT eFILING
IMPLEMENTATION STUDY**

DATE: August 24, 2022

RFP # AOC-30227-2022-0001 IS AMENDED AS FOLLOWS:

1. This RFP Schedule of Events updates and confirms scheduled RFP dates. (Any event, time or date containing revised or new text is highlighted.)

EVENT	TIME (central time zone)	DATE
1. RFP Issued		August 15, 2022
2. Disability Accommodation Request Deadline	2:00 p.m.	August 18, 2022
3. Notice of Intent to Respond Deadline	2:00 p.m.	August 22, 2022
4. Written "Questions & Comments" Deadline	2:00 p.m.	August 25, 2022
5. State Response to Written "Questions & Comments"		August 30, 2022
6. Response Deadline	4:00 p.m.	September 6, 2022
7. State Completion of Technical Response Evaluations		September 12, 2022
8. State Schedules Respondent Oral Presentation or Field Test		September 12, 2022
9. Respondent Oral Presentation or Field Test	8 a.m. - 4:30 p.m.	September 13, 2022
10. State Opening & Scoring of Cost Proposals	2:00 p.m.	September 14, 2022

11. State Notice of Intent to Award Released <u>and</u> RFP Files Opened for Public Inspection	2:00 p.m.	September 15, 2022
12. End of Open File Period		September 22, 2022
13. State sends contract to Contractor for signature		September 26, 2022
14. Contractor Signature Deadline	2:00 p.m.	September 30, 2022

2. Delete RFP section 1.1 in its entirety and insert the following in its place (any sentence or paragraph containing revised or new text is highlighted):

1.1 Statement of Procurement Purpose

The purpose of this RFP is to engage a consultant/vendor partner (“Contractor”) to conduct a comprehensive assessment of needs to enable the State to implement statewide eFiling. The Contractor shall produce a comprehensive report detailing current case management, document management and eFiling interface uses across all state, general sessions and juvenile courts (“Tennessee courts”) and provide comprehensive recommendations to move Tennessee courts to a unified eFiling system, including potential market solutions. The primary responsibility of the Contractor will be to develop a comprehensive plan for integration and/or implementation of an eFiling solution for Tennessee courts.

Additionally, the plan shall enable statewide court data collection through the recommended implementation in support of the analysis, management and reporting activities within the Judicial Branch of the State of Tennessee, as well as among other consumers of court filing information. The comprehensive study will involve interviews with key stakeholders, demonstrated understanding of the process flow of court filings, and documentation of existing investment in eFiling systems currently in use. The comprehensive assessment **and the Report** required in Pro Forma contract section A.3 shall be completed by the Contractor within three (3) months from the Contract Effective Date. The required deliverables shall include:

- Conduct walk-throughs at the direction of the State which shall include visits, observations and interviews of ten (10) to fifteen (15) of the types of courthouse/clerks of court listed below:
 - Chancery Courts
 - Circuit Courts
 - Criminal Courts
 - General Sessions
 - Juvenile Courts
- Conduct a minimum of five (5) judicial stakeholder listening sessions at the direction of the State to include:
 - Lawyers
 - Government justice partners
 - Court data consumers
- Provide a documented comprehensive needs assessment based upon the information gathered

- Provide a strategic and tactical comprehensive report (the “Report”) addressing the needs assessed, information technology investment, and operations in the areas listed below as well as providing recommendations on any other systems and technology improvements necessary to support the recommended eFiling solution as well as meet the data collection, analysis and reporting goals of the State:
 - Applications/IT solutions, including hardware minimum requirements and software versioning
 - Data and systems integration
 - Infrastructure
 - Governance
 - Finance
- Provide in the Report a full portfolio of two to four enterprise eFiling solution options including the pros and cons of each option and justification for the recommended solution including rationale and costs.
- Provide in the Report an eFiling implementation roadmap that connects the proposed strategy and steps for execution which identifies outcomes to be delivered over a suggested timeframe including integration of existing systems, if recommended, and high-level tasks and key success factors to be measurable.
- Provide in the Report a stakeholder matrix that identifies all stakeholders, groups them according to their levels of participation and priority and recommends the best way to engage and communicate with each stakeholder group.
- Provide in the Report a documented communications plan that defines a strategic message for the project and instructions for delivering that message to key stakeholders.
- Provide in the Report a discussion that includes cost estimates and funding recommendations for the recommended eFiling Solution and any other recommended systems, infrastructure enhancements/modifications, etc.
- Provide in the Report a Risk Register that identifies and documents all risks, including the nature of the risk and mitigation factors.
- Provide a project schedule to the State with key milestones and delivery dates within fifteen (15) days of contract Effective Date. The project schedule is subject to State’s written approval.
- After presentation and review of the Report and at the direction of the State, Contractor shall assist the State in the development of a draft Request for Proposals for future procurement of any recommended eFiling systems or other recommended procurements necessary to meet the state’s goals for meeting its comprehensive data collection needs. Any such Request for Proposals shall be subject to state government procurement processes and requirements including ethics and conflict of interest restrictions similar to those found at: https://www.tn.gov/content/dam/tn/generalservices/documents/cpo/other/Business_Conduct_and_Ethics_Policy_and_Procedures_final%20copy%208.17.17.pdf

Background:

In 2010, the Supreme Court of Tennessee authorized the implementation of electronic filing systems in the civil trial courts of Tennessee. The other state trial courts (criminal, juvenile and general sessions) in Tennessee were authorized to implement eFiling in 2016. All eFiling

systems being implemented in Tennessee courts are required to meet technological standards promulgated by the Supreme Court. The Supreme Court established a committee in 2010 whose responsibility was, among other things, to develop the necessary technological standards for eFiling and to review applications by trial courts for implementation of electronic filing systems. An initial set of eFiling standards was adopted by the Supreme Court in September 2011. In 2011, the Shelby County Circuit and Chancery Courts contracted with Tybera Development Group, Inc. (Tybera) to configure and install an eFiling system, and in 2012, those courts were the first courts in Tennessee to begin using an eFiling system.

Funding of eFiling systems in the state trial courts of Tennessee is handled at the county level. Legislation was passed in 2016 (TCA §8-21-401(o)) permitting clerks to charge a filing fee for the purpose of recouping the cost of implementing and maintaining an eFiling system. The permitted filing fees includes a charge of up to \$5.00 per filing but is limited to \$50.00 per case for each filer. As an alternative, the clerk is permitted to allow filers to pay a subscription fee of up to \$300 per year. The trial courts in the two largest counties in Tennessee that have implemented eFiling systems do not charge fees to their users (with one court exception) while the other trial courts in the state that have implemented eFiling do charge fees at the maximum rate provided by statute.

To date, data collection, analysis and dissemination is in no way associated with the eFiling systems that have been implemented in the state. Each county and court collects, maintains, and reports data pursuant to the technological capabilities of the court. The AOC has developed some reporting requirements and systems for certain data reporting but there are no unified digital systems. Although not all, much of the data collection is handled by the case management systems used by the different courts. TnCIS is the case management system that is in use, by some or all of the courts, in approximately 91 of the 95 counties. The TnCIS case management system is currently partially integrated with only one vendor's eFiling system and further integration is anticipated as TnCIS is upgraded in its capabilities. The courts that do not use TnCIS use a variety of different case management and document management systems and integrate based on their different system's capabilities.

While significant progress has been made, the decision to move to eFiling is made at the county level - court by court. Currently there are 11 courts in Tennessee that are utilizing eFiling systems and 20 additional courts that have been approved for implementation of an eFiling system. There are over 300 courts in the state. There are currently three vendors that have been pre-certified for providing eFiling services in Tennessee although pre-certification is not required. One of those pre-certified vendors provides eFiling service to the Appellate Courts, one vendor provides eFiling service to a single trial court and the third vendor provides eFiling service to all of the other courts that are currently using or are in the process of implementing eFiling with the exception of one court that has developed its own eFiling system. Each court has flexibility in the configuration and use of the eFiling system implemented for their court. An anticipated benefit of a statewide standard system would be standardized processes, data collection and analysis.

An eFiling solution, as contemplated by the State of Tennessee, shall provide more services than simply providing a means for the transfer of a document to the courts electronically. It includes the notion that if designed and implemented uniformly, the data and metadata that is transmitted through the system and populates a court's case management system can produce a robust comprehensive collection of statewide court system data. Therefore, uniform statewide eFiling potentially provides the foundation for accurate and reliable information gathering and dissemination. In a mature statewide eFiling environment, data can be reported and analyzed in ways that informs quality policy decision-making for the State.

3. Delete RFP Attachment 6.3 in its entirety and insert the following in its place (any sentence or paragraph containing revised or new text is highlighted):

RFP ATTACHMENT 6.3

COST PROPOSAL & SCORING GUIDE

NOTICE: THIS COST PROPOSAL MUST BE COMPLETED EXACTLY AS REQUIRED

COST PROPOSAL SCHEDULE— The Cost Proposal, detailed below, shall indicate the proposed price for goods or services defined in the Scope of Services of the RFP Attachment 6.6., *Pro Forma* Contract and for the entire contract period. The Cost Proposal shall remain valid for at least one hundred twenty (120) days subsequent to the date of the Cost Proposal opening and thereafter in accordance with any contract resulting from this RFP. All monetary amounts shall be in U.S. currency and limited to two (2) places to the right of the decimal point.

NOTICE: The Evaluation Factor associated with each cost item is for evaluation purposes only. The evaluation factors do NOT and should NOT be construed as any type of volume guarantee or minimum purchase quantity. The evaluation factors shall NOT create rights, interests, or claims of entitlement in the Respondent.

Notwithstanding the cost items herein, pursuant to the second paragraph of the *Pro Forma* Contract section C.1. (refer to RFP Attachment 6.6.), "The State is under no obligation to request work from the Contractor in any specific dollar amounts or to request any work at all from the Contractor during any period of this Contract."

This Cost Proposal must be signed, in the space below, by an individual empowered to bind the Respondent to the provisions of this RFP and any contract awarded pursuant to it. If said individual is not the *President* or *Chief Executive Officer*, this document must attach evidence showing the individual's authority to legally bind the Respondent.

RESPONDENT SIGNATURE:			
PRINTED NAME & TITLE:			
DATE:			
RESPONDENT LEGAL ENTITY NAME:			
Cost Item Description	Proposed Cost	State Use Only	
		Evaluation Factor	Evaluation Cost (cost x factor)
Completion of Stakeholder Engagement- Pro Forma Sections A.3. (a)-(c) &(k)	\$ / One-Time	1.0	
Comprehensive Study & Recommendations final Report Pro Forma Sections A.3. (d)-(j)	\$ / One-Time	1.0	
RFP Development Pro Forma Section A.3. (l)	\$ / Hour	40.0	
EVALUATION COST AMOUNT (sum of evaluation costs above): The Solicitation Coordinator will use this sum and the formula below to calculate the Cost Proposal Score. Numbers rounded to two (2) places to the right of the decimal point will be standard for calculations.			
lowest evaluation cost amount from all proposals <hr/> evaluation cost amount being evaluated		X 30 (maximum section score)	= SCORE:
<i>State Use – Solicitation Coordinator Signature, Printed Name & Date:</i>			

4. Delete RFP Attachment 6.6 Pro Forma Contract Section A.3 in its entirety and insert the following in its place (any sentence or paragraph containing revised or new text is highlighted):
- A.3. The Contractor shall conduct a comprehensive assessment of needs to enable the State to implement statewide eFiling. The Contactor shall produce a comprehensive report detailing current case management, document management and eFiling interface uses across all state, general sessions and juvenile courts (“Tennessee courts”) and provide comprehensive recommendations to move Tennessee courts to a unified eFiling system, including potential

market solutions. The primary responsibility of the Contractor will be to develop a comprehensive plan for integration and/or implementation of an eFiling solution for Tennessee courts. Additionally, the plan shall enable statewide court data collection through the recommended implementation in support of the analysis, management and reporting activities within the Judicial Branch of the State of Tennessee, as well as among other consumers of court filing information. The comprehensive study will involve interviews with key stakeholders, demonstrated understanding of the process flow of court filings, and documentation of existing investment in eFiling systems currently in use. The comprehensive assessment and **the Report** in section A.3 shall be completed by the Contractor within three (3) months from the Contract Effective Date. The required deliverables shall include:

- a. Conduct walk-throughs at the direction of the State which shall include visits, observations and interviews of ten (10) to fifteen (15) of the types of courthouse/clerks of court listed below:
 1. Chancery Courts
 2. Circuit Courts
 3. Criminal Courts
 4. General Sessions
 5. Juvenile Courts
- b. Conduct a minimum of five (5) judicial stakeholder listening sessions at the direction of the State to include:
 1. Lawyers
 2. Government justice partners
 3. Court data consumers
- c. Provide a documented comprehensive needs assessment based upon the information gathered.
- d. Provide a strategic and tactical comprehensive report (**the "Report"**) addressing the needs assessed, information technology investment, and operations in the areas listed below as well as providing recommendations on any other systems and technology improvements necessary to support the recommended eFiling solution as well as meet the data collection, analysis and reporting goals of the State:
 1. Applications/IT solutions, including hardware minimum requirements and software versioning Data and systems integration
 2. Infrastructure
 3. Governance
 4. Finance
- e. Provide **in the Report** a full portfolio of two to four enterprise eFiling solution options including the pros and cons of each option and justification for the recommended solution including rationale and costs.
- f. Provide **in the Report** an eFiling implementation roadmap that connects the proposed strategy and steps for execution which identifies outcomes to be delivered over a suggested timeframe including integration of existing systems, if recommended, and high-level tasks and key success factors to be measurable.
- g. Provide **in the Report** a stakeholder matrix that identifies all stakeholders, groups them according to their levels of participation and priority and recommends the best way to engage and communicate with each stakeholder group.
- h. Provide **in the Report** a documented communications plan that defines a strategic message for the project and instructions for delivering that message to key stakeholders.
- i. Provide **in the Report** a discussion that includes cost estimates and funding recommendations for the recommended eFiling Solution and any other recommended systems, infrastructure enhancements/modifications, etc.
- j. Provide **in the Report** a Risk Register that identifies and documents all risks, including the nature of the risk and mitigation factors.

- k. Provide a project schedule to the State with key milestones and delivery dates within fifteen (15) days of contract Effective Date. The project schedule is subject to State's written approval.
- l. After presentation and review of the Report and at the direction of the State, Contractor shall assist the State in the development of a draft Request for Proposals for future procurement of any recommended eFiling systems or other recommended procurements necessary to meet the state's goals for meeting its comprehensive data collection needs. Any such Request for Proposals shall be subject to state government procurement processes and requirements including ethics and conflict of interest restrictions similar to those found at:
https://www.tn.gov/content/dam/tn/generalservices/documents/cpo/other/Business_Conduct_and_Ethics_Policy_and_Procedures_final%20copy%208.17.17.pdf

5. Delete RFP Attachment 6.6 Pro Forma Contract Section C.3 in its entirety and insert the following in its place (any sentence or paragraph containing revised or new text is highlighted):

- C.3 Payment Methodology. The Contractor shall be compensated based on the payment methodology for goods or services authorized by the State in a total amount as set forth in Section C.1.
- a. The Contractor's compensation shall be contingent upon the satisfactory provision of goods or services as set forth in Section A.
 - b. The Contractor shall be compensated based upon the following payment methodology:

Goods or Services Description	Amount (per compensable increment)
Completion of Stakeholder Engagement - Sections A.3.(a)-(c) & (k)	\$NUMBER
Comprehensive Study and Recommendations – final Report Sections A.3.(d)-(j)	\$NUMBER
RFP Development -Section A.3.(l)	\$NUMBER

6. RFP Amendment Effective Date. The revisions set forth herein shall be effective upon release. All other terms and conditions of this RFP not expressly amended herein shall remain in full force and effect.