E-Learning Services RFP Q&A

Good Standing in State of California:

1. What California registration or qualification documentation would you require from a Texas LLC providing services remotely? Must that documentation be in place at proposal submission, contract execution, or before work begins?

   Answer: State Bar requires vendors to be in good standing in California found here: https://bizfileonline.sos.ca.gov/search/business, we may continue the process if the registration is completed prior to contract execution. Please make sure you submit with your proposal the official registration confirmation that demonstrates the process to register is in progress.

2. May a company incorporated in India submit a direct bid and deliver the course production remotely, or is US incorporation/registration mandatory?

   Answer: Please see answer to question #1.

3. At what point must a corporation provide California registration/good-standing evidence: proposal submission or contract award? Does a properly registered out-of-state corporation qualify?

   Answer: Please see answer to question #1.

4. Would a US-incorporated vendor (Delaware) with a dedicated project director available 9:00 a.m. to 4:00 p.m. Pacific Time, and production staff based outside the US, meet the domestic presence requirement?

   Answer: Please see answer to question #1.

Insurance:

5. For a scope limited to course development and delivery, without vendor hosting or custody of learner data, would the State Bar consider reduced cyber and umbrella limits? Please also clarify how the aggregate-doubling provision in Section F(4)

applies to the stated limits, whether all coverage requirements apply to every subcontractor regardless of role, and what arrangements would satisfy the three-year post-contract requirement for claims-made coverage. Can bidders provide evidence of coverage after selection but before commencing work?

Answer: Certificates of insurance must be provided to the State Bar prior to the commencement of work under a contract awarded pursuant to this RFP, but are not required for proposal submission. As permitted by Section III.A.15, a potential vendor may submit proposed exceptions, modifications, or additions to the insurance terms.
The insurance terms apply fully to subcontractors of the vendor. Each must carry insurance sufficient to meet the insurance terms.

6. Are the $5M umbrella and $2M cyber/professional liability limits required at proposal submission, or only upon contract award?

   Answer: Certificates of insurance must be provided to the State Bar prior to the commencement of work under a contract awarded pursuant to this RFP, but are not required for proposal submission.

7. Section IV.F.1(e) specifies a $2,000,000 requirement for Privacy Security Liability/Cyber Insurance. Given that the scope of work requires the vendor to deliver self-contained SCORM 1.2 packages to be hosted internally on the State Bar's Gnosis Connect LMS—meaning the vendor will not host external learner portals, maintain network connections to State Bar systems, or access, collect, or store any licensee records or Personally Identifiable Information (PII)—will the State Bar waive the Cyber Liability requirement or allow standard Commercial General and Professional Liability coverage to suffice?

   Answer: As permitted by Section III.A.15, a potential vendor may submit proposed exceptions, modifications, or additions to the insurance terms.

8. Section IV.F.1(f) requires a $5,000,000 per occurrence / aggregate Umbrella Liability policy, and Section IV.F.1(d) mandates Professional Liability coverage with a minimum limit of $2,000,000. For a remote digital content development contract of this nature:

a. Will the State Bar consider reducing the Umbrella Liability threshold to $1,000,000?
b. Could the State Bar clarify whether a Professional Liability policy of $1,000,000 per claim / $2,000,000 aggregate satisfies the requirements of Section IV.F.1(d)?

Answer: As permitted by Section III.A.15, a potential vendor may submit proposed exceptions, modifications, or additions to the insurance terms.

9. Are the insurance limits in Section IV.F ($5M umbrella, $2M professional liability, $2M cyber) mandatory at those levels, must they be in place at submission or only at contract execution, and do subcontractors have to carry the same limits?

Answer: Certificates of insurance must be provided to the State Bar prior to the commencement of work under a contract awarded pursuant to this RFP, but are not required for proposal submission. As permitted by Section III.A.15, a potential vendor may submit proposed exceptions, modifications, or additions to the insurance terms.
The insurance terms apply fully to subcontractors of the vendor. Each must carry insurance sufficient to meet the insurance terms.

10. Are the listed insurance limits fixed for this engagement, or will the State Bar consider adjustments based on the final scope and risk?

Answer: As permitted by Section III.A.15, a potential vendor may submit proposed exceptions, modifications, or additions to the insurance terms.

11. Are the stated insurance coverages required at proposal stage or only before contract award, and may equivalent international policies be considered?

Answer: Certificates of insurance must be provided to the State Bar prior to the commencement of work under a contract awarded pursuant to this RFP, but are not required for proposal submission. As permitted by Section III.A.15, a potential vendor may submit proposed exceptions, modifications, or additions to the insurance terms.

12. Are the stated insurance limits mandatory at proposal stage or required only before contract execution? Are exceptions or equivalent coverage structures considered?

    Answer: Certificates of insurance must be provided to the State Bar prior to the commencement of work under a contract awarded pursuant to this RFP, but are not required for proposal submission. As permitted by Section III.A.15, a potential vendor may submit proposed exceptions, modifications, or additions to the insurance terms.

13. Do certificates of insurance have to be submitted with the proposal, or only at contract award?

    Answer: Certificates of insurance must be provided to the State Bar prior to the commencement of work under a contract awarded pursuant to this RFP, but are not required for proposal submission. As permitted by Section III.A.15, a potential vendor may submit proposed exceptions, modifications, or additions to the insurance terms.

14. Must the stated insurance limits (including the $5M umbrella and $2M cyber) be in force at proposal submission, or may they be bound before contract execution if vendor is selected?

    Answer: Certificates of insurance must be provided to the State Bar prior to the commencement of work under a contract awarded pursuant to this RFP, but are not required for proposal submission. As permitted by Section III.A.15, a potential vendor may submit proposed exceptions, modifications, or additions to the insurance terms.

15. The RFP requires $2 million in professional liability coverage, $2 million in cyber liability coverage, and $5 million in umbrella liability coverage. Given that the scope involves instructional design and course development rather than hosting or operating the State Bar's LMS, would the State Bar consider alternative or reduced insurance limits appropriate to the services being provided?

    Answer: Certificates of insurance must be provided to the State Bar prior to the commencement of work under a contract awarded pursuant to this RFP, but are not required for proposal submission. As permitted by Section III.A.15, a

potential vendor may submit proposed exceptions, modifications, or additions to the insurance terms.

Budget/Pricing:

16. Is there an anticipated budget range for the initial two-year engagement? Would the initial award commit to all four courses, or would funding and authorization be determined separately for each Statement of Work?

    Answer: The State Bar anticipates awarding a Master Services Agreement (MSA) for an initial two-year term, with individual Statements of Work (SOWs) defining the specific scope, deliverables, timeline, and pricing for each project. The four anticipated courses and any additional courses are subject to State Bar approval and available funding, and each will be authorized through an SOW. The State Bar is not publishing a budget range for this procurement.

17. Section II.C.2.b asks bidders to detail High, Medium, and Low collaboration models. For the purpose of completing the fixed-price cost breakdown in Attachment B (Itemized Cost Proposal), which collaboration tier (High, Medium, or Low) should vendors assume as the standard baseline so that all bids are evaluated on an equal footing?

    Answer: For the purposes of completing Attachment B, vendors should assume the medium collaboration model. Vendors must clearly state this assumption. As required by Section II.C.2, vendors must also explain the estimated cost differences among the high, medium, and low collaboration approaches using consistent, identified assumptions.

18. Section III.B lists "Attachment B. Itemized Cost Proposal (.xls)" as a required submission. The Business Opportunities page currently posts the RFP, Attachment A (Vendor Questionnaire), Attachment C (Subject Matter) and the Vendor AI FactSheet, but we could not find Attachment B. Could you please post or send the Attachment B template, or confirm that bidders may submit their own itemized cost proposal in .xls format?

    Answer: We are not providing a template, please submit your own itemized cost proposal titled as Attachment B in (.xls) format detailing fees by task and personnel and any anticipated reimbursable expenses. Travel expenses, if

applicable, will be reimbursed in accordance with the State Bar's Travel and Business-Related Expense Policy.

19. Attachment B is not posted. Please provide the Itemized Cost Proposal workbook, and confirm the required cost categories and whether unit pricing per course is acceptable in place of a single total.

    Answer: Please see answer to question #18

20. The RFP calls for Attachment B, the itemized cost proposal, but we cannot find it on the opportunity page. Where can we get it? If it is unavailable, may we submit our own itemized pricing format?

    Answer: Please see answer to question #18

21. The RFP requires submission of Attachment B, Itemized Cost Proposal, in native Excel format. Can the State Bar confirm that Attachment B has been made available to all bidders and identify where it can be obtained?

    Answer: Please see answer to question #18

22. Is there an anticipated budget range for the initial four courses, and what is the expected learner seat time for each course?

    Answer: Regarding budget, please see answer to question #16. Regarding seat time, please see answer to question #32.

23. Is there an approved budget range or per-course ceiling? Are you open to tiered pricing tied to the amount of approved source content and media production needed?

    Answer: Please see answer to question #16 regarding budget. Yes, vendors may describe tiered pricing tied to the level of collaboration, source content, and media production needed; Section II.C.2 asks vendors to explain cost differences among collaboration approaches. However, vendors must still provide fixed pricing for the four anticipated courses based on the baseline assumptions described in answers to questions #17 and #32, which will be used for cost evaluation (see answer to question #27).

24. Should support and maintenance be priced per course per year, or as a single program-wide agreement?

Answer: The RFP does not prescribe a structure. Vendors may price support and maintenance per course per year, as a program-wide agreement, or both, provided the pricing is itemized and the services included are clearly described (see Section II.C.5.j and II.C.6). As stated in the answer to question #27, maintenance pricing will not be included in the 30-point cost evaluation.

25. Can the State Bar share an estimated budget range for the four CLE courses?

    Answer: Please see answer to question #16.

26. Will the State Bar accept optional unit rates (per seat-time hour, per module, and hourly) for future SOWs, in addition to the itemized cost?

    Answer: Yes. The State Bar will accept optional unit rates for future SOWs in addition to the required itemized pricing. These rates will be collected for informational purposes and will not be included in the cost evaluation.

27. The RFP requests fixed pricing for anticipated course development as well as rates for future work, support, and maintenance. For purposes of the 30-point cost evaluation, will the State Bar evaluate only the four anticipated courses, or will optional services, maintenance, additional multimedia production, and future course development rates also be included in the evaluated total?

    Answer: The 30 point cost evaluation will be based solely on the proposed fixed pricing of the four anticipated courses identified in the RFP. Pricing for optional services, optional maintenance, additional multimedia production and future course development will not be included in the evaluated total pricing. However, vendors are requested to provide these rates for informational purposes to assist with reviewing potential future needs.

Scope of Work:

28. Section C.2.a – Complete E-Learning Samples: Our client courses are hosted in the client's Moodle-based learning environment. Is evaluator access to completed courses in the client's live hosted environment (with 10 evaluator accounts) acceptable for the samples, even though those courses were not delivered to the client as SCORM packages?

    Answer: Yes. Section II.C.2 states that samples accessed through the client's platform are preferred, and samples are not required to have been delivered as SCORM packages. Vendors must provide 10 evaluator accounts or access codes for each sample (or a single set of credentials supporting at least 10

concurrent users), obtain any permissions needed to share the samples, and keep access available throughout the evaluation period. Vendors should also note how the sample relates to the SCORM 1.2 deliverable required for this project.

29. SCORM delivery: We will deliver the State Bar's courses as SCORM 1.2 packages for Gnosis Connect. Can the State Bar provide a test or sandbox environment in Gnosis Connect during development so the vendor can validate packages before delivery?

    Answer: The vendor is responsible for testing all completed courses for compatibility with the State Bar's LMS (Section II.C.3.b). The State Bar anticipates being able to provide the selected vendor with access to a Gnosis Connect test environment, or loading packages on the vendor's behalf for testing, during development. Specific arrangements will be coordinated after award and identified in the applicable SOW. Vendors may also use industry-standard SCORM testing tools for preliminary validation.

30. Authoring tools: Storyline/Rise is listed as preferred. If a vendor uses a different authoring pipeline, would delivering fully editable source files in that format, together with SCORM 1.2 packages, satisfy the editable-source and IP handover requirement?

    Answer: Possibly. The State Bar prefers Articulate Storyline 360 and/or Rise 360, but proposers may recommend an alternative platform if they demonstrate that it meets the State Bar's requirements for instructional functionality, accessibility, LMS compatibility, and ongoing maintenance (Section II.C.3.a). Alternative platforms require State Bar approval before development begins. Proposals must disclose all licenses, subscriptions, third-party components, and other dependencies needed to operate, edit, and republish the courses, with associated costs. Editable source files must be sufficient for the State Bar or a third-party vendor to independently modify, maintain, and republish the courses without the selected vendor's continued services (Section II.C.4).

31. Section II.C.5.h asks bidders: *"What have you seen in our existing courses that could be improved and how?"* Can the State Bar provide prospective bidders with access, preview links, or sample files to review the existing courses prior to the proposal submission deadline?

    Answer: The State Bar will provide access to existing courses before the proposal submission deadline of November 19, 2026. Vendors can contact elearning@calbar.ca.gov to request access. Vendors may use this access to

respond to Section II.C.5.h. Vendors may also base their response to Section II.C.5.h on any publicly available State Bar educational programs and may describe their general approach to reviewing and improving existing courses.

32. Section II.C.6 & Attachment C states that the first course (Law Practice Management) has an anticipated seat time of approximately 60 minutes. For proposal and pricing purposes in Attachment B, should bidders assume an average learner seat time of 60 minutes for the remaining three required courses as well?

    Answer: Attachment C identifies an anticipated seat time of approximately 60 minutes for the Law Practice Management course. For the purposes of Attachment B, vendors should assume that each of the four anticipated courses has approximately 60 minutes of learner seat time and comparable complexity, and should state that assumption in the cost proposal. Actual seat time, module structure, and deliverables will be defined in each SOW. Vendors may also provide optional unit rates showing how pricing scales with seat time (see answer to question #26).

33. Section II.B.3 & Section II.C.6; The RFP states that the State Bar *"expects the vendor to develop new video content for each course"*. Could the State Bar clarify the expected format of this video production—specifically, whether this requires on-site, live-action video shoots with professional talent in California, or if motion graphics, kinetic typography, animated scenarios, curated stock video, and remote SME recordings will satisfy this deliverable?

    Answer: The RFP does not require a specific production method. Vendors should propose the video approach they recommend (for example, live action, remote subject matter expert recordings, animation, motion graphics, or licensed stock footage), the number of minutes of video included in their fixed pricing, and any separate multimedia costs (Sections II.C.5.g and II.C.6). The State Bar also owns existing video content that may be included in the courses. On-site, live-action filming in California is not required for the base scope; the specific video approach for each course will be approved by the State Bar and identified in the applicable SOW.

34. Section II.C.5.c asks vendors to distinguish between work performed by permanent full-time employees and remote independent contractors. If a bidder utilizes long-term, specialized 1099 instructional designers and developers who operate under the vendor's direct project management and quality control protocols during

standard Pacific Time business hours (9:00 a.m. to 4:00 p.m. PST), will this model be evaluated equally to a W-2 staffing structure?

Answer: The RFP does not state a preference between W-2 employees and independent contractors; Section II.C.5.c asks vendors to describe the split so the State Bar can assess capacity, quality control, and continuity under Category C. Note that independent contractors who perform services or access Confidential Information are treated as subvendors under Section IV (Staffing): they must be approved in advance in writing by the State Bar, must execute confidentiality and intellectual property assignment agreements, and must meet the insurance requirements. Proposed subvendors should be identified in the executive summary (Section III.A.1).

35. Section II.B.3 requests vendor strategies for calculating required e-learning time. Does the State Bar of California currently mandate a specific formula or reading-speed standard for calculating asynchronous Minimum Continuing Legal Education (MCLE) credit (e.g., a specific word-count-per-minute threshold for interactive text/readings), or are vendors encouraged to propose their own validated calculation methodologies?

    Answer: The RFP does not prescribe a formula or reading-speed standard. Vendors are encouraged to propose their own calculation methodologies, explain how they are validated, and recommend which would best apply to these courses (Section II.B.3).

36. Will the State Bar provide vendor access to a Gnosis Connect LMS test environment for SCORM 1.2 compatibility testing, and at what stage of development?

    Answer: Please see answer to question #29.

37. What is the expected seat time and number of modules per course, how many review and revision cycles are included per course, and are the four courses fixed now or assigned later by statement of work?

    Answer: Please see answer to question #32 regarding seat time. The number of modules, review and revision cycles, and specific course scope will be defined in each SOW (Section II.C.1). Vendors should propose the number of review cycles included in their pricing, with a corresponding progress payment schedule (Section II.C.5.o). Please see answer to question #42 regarding the four courses.

38. Will the State Bar supply finished substantive legal content and legal subject-matter review, or is the vendor expected to draft legal content or retain legal SMEs?

    Answer: The State Bar will provide available curriculum materials, learning objectives, existing content, and subject matter expertise, and will retain responsibility for reviewing and approving substantive legal content (Section II.C.1). The vendor is responsible for instructional design, technical development, and production, and will assist in identifying content gaps. Vendors are not expected to retain independent legal subject matter experts. Depending on the collaboration level identified in the applicable SOW, the vendor may help develop, organize, or refine content for State Bar review and approval.

39. May the three samples be delivered in an authorized separate review environment, such as Articulate Review or SCORM Cloud, when a client will not permit platform access, and must all three remain accessible for the entire evaluation period?

    Answer: Yes. If client-platform access is unavailable, vendors may provide an authorized copy of the completed client product in a separate review environment and explain why an alternative environment is necessary (Section II.C.2). All three samples must remain accessible throughout the evaluation period identified by the State Bar.

40. For the three completed client-work samples, may a newer business submit work its proposed personnel completed while employed by another organization, provided their individual roles are clearly identified and sharing permission is obtained?

    Answer: Samples must represent actual work performed for clients, and each sample must describe the vendor's role and which portions of the work it performed (Section II.C.2). Work completed by proposed personnel while employed by another organization may be submitted, provided the sample clearly identifies the organization under which the work was performed, the individual's specific role, and that the individual is proposed to work on this project, and the vendor has obtained permission to share it. The State Bar will consider this context in its evaluation. Note that the three projects required under Section III.A.8 must be projects completed by the bidder.

41. Does the 9 a.m.–4 p.m. Pacific availability requirement mean continuous availability throughout that window, or availability for scheduled meetings and agreed response times?

Answer: Vendors outside the Pacific time zone must maintain availability from 9 a.m. to 4 p.m. Pacific time, and constant, stable communication is required (Section II.C.1). This means the vendor's project manager or designated key contacts must be reachable during that window for scheduled meetings and timely responses; it does not require every team member to be continuously online. Vendors should describe their proposed communication protocols and response times.

42. What is the expected topic, seat time, and target launch window for each of the four courses? Are all four funded and expected, or will later courses depend on separate approvals?

    Answer: The first anticipated course is Law Practice Management, described in Attachment C. The State Bar anticipates developing two courses per year, beginning after the contract starts in February 2027. Topics, seat time, and launch dates for each course will be set in the applicable SOW. Regarding funding, please see answer to question #16.

43. For the first law practice management course, what materials already exist in approved form: objectives, outline, legal text, scripts, case studies, assessment questions, video, and source files? Can you share representative materials so we can size the work?

    Answer: The State Bar is currently developing curriculum outlines for the courses described in Attachment C and will provide available curriculum materials, learning objectives, existing content, and subject matter expertise to the selected vendor (Section II.C.1). Source materials will not be shared before the proposal submission deadline. For pricing, please see answers to questions #17 and #32.

44. For the other three courses, when will topics and source materials be defined? How should vendors price work whose content is not yet known?

    Answer: Topics and source materials for the remaining courses will be defined in subsequent SOWs. For pricing, vendors should use the assumptions in the answers to questions #17 and #32, state their assumptions, and may also provide optional unit rates and hourly rates for future work (see answers to questions #26 and #27).

45. Who writes and updates the substantive legal content? Will State Bar SMEs supply approved legal copy, or is the vendor expected to research and draft it for SME review?

    Answer: Please see answer to question #38.

46. Who identifies and resolves gaps in the source material, and who has final responsibility for legal accuracy and MCLE compliance?

    Answer: The vendor will help identify content gaps, and the State Bar, in collaboration with the vendor as specified in the applicable SOW, will determine how gaps are addressed (Section II.C.1). The State Bar retains responsibility for reviewing and approving substantive legal content. The State Bar is responsible for MCLE compliance determinations; the vendor is responsible for implementing the approved time-calculation methodology and completion tracking (see answer to question #35).

47. Is there an existing course library, incumbent vendor, or prior Storyline/Rise work we can review for design, functionality, and content expectations?

    Answer: There is no incumbent vendor for this RFP. Please see answer to question #31 regarding access to existing courses.

48. Who are the intended learners, and approximately how many will take each course? Are there distinct audiences or accessibility needs we should design for?

    Answer: The learners are attorneys admitted to practice in California, including both newly licensed and experienced attorneys, who range in age and familiarity with technology (Section II.B.2). The State Bar licenses approximately 290,000 attorneys. The State Bar does not have a per-course enrollment estimate. Courses must comply with the ADA, Section 508, and the Web Content Accessibility Guidelines (see answer to question #51), function on desktop and mobile devices, and reflect the diversity of California.

49. Which collaboration model—high, medium, or low—do you expect for the first course? How much SME time and what review turnaround can you commit to?

    Answer: Please see answer to question #17 regarding the collaboration models. The State Bar needs time to communicate internally about each deliverable before sharing feedback with the vendor (Section II.C.1). Vendors should assume a review turnaround of approximately one week per milestone deliverable and build flexibility for State Bar review into their timelines (Section III.A.5.e).

50. How many storyboard, prototype, and final-course review rounds should we include in the base price? How will substantive content changes after approval be handled?

    Answer: Vendors should propose the number of review cycles included in their pricing, with a corresponding progress payment schedule (Section II.C.5.o). The number of review and revision cycles will be specified in each SOW.

Corrections needed to bring deliverables into compliance with approved specifications or previously provided instructions must be completed at no additional cost; changes that materially expand the approved scope require prior written approval (Section II.C.1).

51. Which version and conformance level of WCAG applies, and is a VPAT or accessibility conformance report required with the proposal?

    Answer: Courses must comply with the Americans with Disabilities Act (ADA) consistent with Web Content Accessibility Guidelines. A VPAT or accessibility conformance report is not required with the proposal. Vendors should describe their accessibility design and testing approach and identify any known limitations. Accessibility will be tested before final acceptance (Section II.C.3.b).

52. Which WCAG version and conformance level will be used for acceptance? Do you require a particular accessibility audit, report, or testing method?

    Answer: Please see answer to question #51.

53. What media must the vendor create for the first course: filmed video, animation, narration, interviews, illustrations, or other assets? If video is expected, what duration and production approach do you have in mind?

    Answer: Please see answer to question #33. The State Bar's current concept includes text-based interactions, voice recordings, animations, and video (Section II.B.3). Vendors should describe the media included in their fixed pricing and the minutes of video, audio, and motion graphics included (Section II.C.5.g).

54. Will the State Bar provide talent, filming access, brand/design standards, and reusable media? Who is responsible for securing and transferring third-party asset licenses?

    Answer: The State Bar will provide existing video content it owns that may be included in the courses. Unless otherwise stated in the applicable SOW, the vendor furnishes all labor, including talent, at its own expense (Section IV, Independent Contractors). The State Bar will provide its style guide and brand standards to the selected vendor (see answer to question #66). The vendor is responsible for identifying any third-party materials, informing the State Bar, and obtaining licenses sufficient for the State Bar's use as set forth in Section IV (Third Party Materials).

55. What specific data must the Gnosis Connect LMS receive beyond standard SCORM 1.2 completion, score, and resume data? Is there a test environment and a State Bar contact for integration testing?

    Answer: In addition to standard SCORM 1.2 completion, score, and resume (bookmarking) data, the State Bar desires metrics that include module completion status, time spent in each module, and pass rates for each question (Section II.B.3). Please see answer to question #81 regarding LMS support for these metrics, and answer to question #29 regarding a test environment. A State Bar contact for integration testing will be designated after award.

56. What are the required completion and passing rules, including the RFP's 80% completion reference? How will course duration and learner time be validated for MCLE credit?

    Answer: Please see answer to question #82 regarding completion rules and the 80% threshold, and answer to question #35 regarding time calculation.

57. Which mobile devices, operating systems, and browser versions are in the acceptance test matrix? Who signs off on LMS, accessibility, and cross-device testing?

    Answer: The courses must function on desktop and mobile devices using the current major version and the three preceding major versions of Microsoft Edge, Apple Safari, Mozilla Firefox, and Google Chrome, where those versions are available for the applicable operating system and device (Section II.C.3.c). Proposals must identify any browser, operating system, or device limitations. The vendor will test against the required versions and resolve compatibility issues before final acceptance. The State Bar will approve LMS, accessibility and cross-device testing.

58. Does the State Bar have Articulate licenses and a preferred method for transferring editable Storyline/Rise projects? May we propose a different authoring approach if it meets the SCORM and source-file requirements?

    Answer: The State Bar does not hold licenses for design or authoring software. Editable Storyline files must be delivered in their native formats, and Rise courses must be transferred or copied into an account controlled by the State Bar through a handoff process agreed upon in advance, including verification

that the State Bar can access, edit, and republish the courses (Section II.C.4.a). Please see answer to question #30 regarding alternative authoring approaches.

59. What is the post-launch warranty or support period? What volume of legal/content updates and technical maintenance should be priced separately?

    Answer: There is no pre-determined post-launch warranty or support period. Vendors should describe any warranty or correction period they offer (Section II.C.5.k). Vendors should price ongoing support, maintenance, technical updates, and an accessibility and multi-platform compatibility maintenance agreement separately (Section II.C.6), with hourly or unit rates for content updates. Please also see answers to questions #24 and #27.

60. Are the three comparable projects required to be completed within the last three years, or can a project begun earlier qualify if its final deliverable was accepted within that period? Must all three be legal-sector eLearning?

    Answer: Section III.A.8 requires three projects completed by the bidder within the past three years. A project begun earlier qualifies if it was completed within that period. The projects need not all be legal-sector e-learning, but relevant legal-sector experience will be evaluated favorably (Section II.C.2).

61. Must the three course samples be legal-sector work, or may they demonstrate equivalent instructional design, accessibility, and SCORM capability in other regulated settings?

    Answer: No. Samples should be as similar as possible to the courses described in the RFP and may come from other regulated or professional settings. However, vendors with experience creating e-learning for state or local bar associations, law firms, or other legal organizations should include a relevant sample if available, and legal-sector samples demonstrating the ability to communicate legal concepts accurately will be evaluated favorably (Section II.C.2).

62. Are self-assessments within the scope of this procurement? If so, are they separate deliverables or components of the courses?

    Answer: The scope of this RFP is the four anticipated continuing legal education courses and any additional courses, modules, or educational content requested through additional SOWs. Within the courses, question prompts that test concepts and provide corrective feedback are required (Section II.B.3). Standalone self-assessments are not part of the four anticipated courses.

63. Is there a target launch date for the Law Practice Management course, or required completion dates for later courses?

    Answer: Please see answer to question #42. Target dates will be identified in each SOW.

64. What type of continuing legal education credit does the State Bar anticipate for the Law Practice Management course? Beyond the time-calculation strategies vendors are asked to propose, are there State Bar requirements for documenting seat time?

    Answer: The Law Practice Management course will run for approximately 60 minutes. It is anticipated that the course will offer general MCLE credit. Please see answer to question #35 regarding seat time calculation.

65. Approximately how many State Bar staff and subject matter experts will review each milestone deliverable? What review turnaround should bidders assume when building the timelines in Submission Requirement 5?

    Answer: Vendors should assume approximately four State Bar staff and subject matter experts will review each milestone deliverable. Please see answer to question #49 regarding review turnaround.

66. Does the State Bar have a style guide, brand standards, or course template that the courses must follow?

    Answer: Yes. The selected vendor will be provided with the State Bar's Style Guide and any applicable brand standards. The State Bar does not have a required course template.

67. The RFP states that the State Bar expects the vendor to develop new video content for each course. To align pricing assumptions, what type and length of new video does the State Bar envision per course, for example, live action with actors, animation, or video built from licensed stock footage?

    Answer: Please see answer to question #33.

68. For courses being updated, will the State Bar provide the original Storyline/Rise source files?

Answer: The State Bar has not currently identified any updates to existing courses; please see answer to question #77. If updates are requested for existing courses, the State Bar will provide available editable source files for courses being updated. Please see answer to question #77.

69. How many minutes of new video does the State Bar expect per course, and should videos be filmed on-site or produced remotely?

    Answer: Please see answer to question #33.

70. Can bidders host the three required samples on their own LMS or web server and give evaluators login credentials? Or must the samples be submitted as SCORM packages or files?

    Answer: Samples accessed through the client's platform are preferred. If that is unavailable, vendors may host an authorized copy of the completed client product in a separate review environment, such as their own LMS or web server, and explain why an alternative environment is necessary (Section II.C.2). Samples do not need to be submitted as SCORM packages.

71. Will the State Bar accept SCORM 1.2/2004 packages built with standards-based web tools (HTML5/JavaScript), or are specific tools required, such as Articulate Storyline/Rise or Adobe Captivate?

    Answer: Please see answer to question #30. Any alternative platform, including custom HTML5/JavaScript development, must meet the same requirements, be approved by the State Bar before development begins, and produce source files that the State Bar or a third-party vendor can independently maintain and republish.

72. Do samples need to cover legal or professional-responsibility topics, or are accessible e-learning samples from other subject areas acceptable?

    Answer: Please see answer to question #61.

73. Does the State Bar require vendor staff to be available during Pacific business hours? If so, which hours?

    Answer: Yes. Please see answer to question #41.

74. May the three completed e-learning samples be courses built by Vendor's principals for prior employers or clients under the principal's name, with evaluator access arranged by us, or must each sample have been delivered under the bidding

entity's legal name?

Answer: Please see answer to question #40.

75. All of our instructional design and course production is remote and asynchronous. Is any live facilitation or on-site work required under the base scope?

    Answer: The RFP does not include live facilitation in the base scope, and remote production is acceptable. Please see answer to question #33 regarding video production. If travel is required, expenses will be reimbursed in accordance with the State Bar's Travel and Business-Related Expense Policy.

76. The RFP anticipates four continuing legal education courses over the initial two-year term, while Attachment C identifies a proposed 60-minute Law Practice Management course. Should vendors assume that all four courses will be approximately 60 minutes in duration and comparable in complexity for the cost proposal, or should vendors provide pricing based on different course lengths and complexity levels?

    Answer: Please see answer to question #32.

77. Of the four anticipated courses, how many are expected to be newly developed versus updates to existing courses? For existing courses requiring updates, can the State Bar provide the approximate duration, authoring platform, and extent of anticipated revisions so vendors can price these services appropriately?

    Answer: The only course identified at this time is the Law Practice Management course, which is a new course (Attachment C). Topics for additional courses have not yet been determined and will be identified in subsequent SOWs. The State Bar has not currently identified any updates to existing courses. For pricing the four anticipated courses, please see answer to question #32. Vendors may also provide optional unit or hourly rates for any future course updates (see answer to question #26).

78. The RFP states that the State Bar expects the vendor to develop new video content for each course. Does this include live-action filming with attorneys or subject matter experts, or would animated videos, motion graphics, and narrated instructional content satisfy this requirement? Is there an anticipated number of video minutes per course?

    Answer: Please see answer to question #33.

79. The RFP indicates that the State Bar will provide curriculum materials, learning objectives, existing content, and subject matter expertise, while the vendor will assist with identifying and addressing content gaps. Should vendors assume that the State Bar will provide all substantive legal expertise and approve all legal content, or is the vendor expected to provide independent legal subject matter experts or conduct substantive legal research?

    Answer: Please see answer to question #38.

80. The RFP anticipates two courses per year beginning in 2027. Does the State Bar have target completion or launch dates for the first two courses, and does it anticipate developing them concurrently or sequentially?

    Answer: Please see answer to question #42 regarding target completion or launch dates. It is anticipated that the courses will not be developed concurrently.

81. The RFP requests reporting on module completion, time spent within modules, and question-level pass rates. Given that the State Bar's Gnosis Connect LMS supports SCORM 1.2, can the State Bar confirm which of these reporting metrics are currently supported by its LMS? Will vendors be evaluated on the ability to capture metrics that may not be available through the existing LMS?

    Answer: The State Bar's Gnosis Connect LMS captures module completion, time spent within modules, and question-level pass rates. Vendors will not be evaluated for metrics that the State Bar's LMS cannot record.

82. The RFP specifies an 80% completion threshold for certain courses while also requiring learners to receive corrective feedback and retry questions until answered correctly. Does the 80% threshold refer to an assessment passing score, completion of required learning activities, or another measure? Should vendors anticipate scored assessments, unscored knowledge checks, or both?

    Answer: The 80% threshold refers to the portion of the course a learner must complete for the course to be recorded as complete. Vendors should anticipate knowledge checks with retry, skip logic and should support branching. Any scored assessments and specific completion rules will be identified in the applicable SOW.

83. The RFP requests up to three examples of content development and collaboration materials and requires vendors to explain their approach to high, medium, and low

collaboration. Is the expectation that vendors provide one example corresponding to each collaboration level, or may vendors submit up to three representative examples and separately explain how their approach accommodates all three levels?

Answer: Vendors may submit up to three representative examples; one example per collaboration level is not required. The examples and accompanying explanations must, together, describe the vendor's approach to all three collaboration levels and address each item listed in Section II.C.2.

84. The RFP requests a proposed progress payment schedule corresponding to review cycles. Will the State Bar accept milestone-based payments upon approval of deliverables such as storyboards, prototypes, and completed courses, or does it have a preferred payment structure?

    Answer: Yes. Milestone-based payments upon State Bar approval of deliverables, such as storyboards, prototypes, and completed courses, are acceptable. Vendors should propose a progress payment schedule corresponding to their review cycles (Section II.C.5.o). Final payment terms will be set in each SOW.

85. The RFP requests up to three examples of content development and collaboration materials and requires vendors to explain their approach to high, medium, and low collaboration. Is the expectation that vendors provide one example corresponding to each collaboration level, or may vendors submit up to three representative examples and separately explain how their approach accommodates all three levels?

    Answer: Please see answer to question #83.

Generative AI:

86. The RFP asks how vendors use generative AI. Are there State Bar policies or restrictions on using AI tools to process State Bar source content (for example, data residency or model hosting requirements) that bidders should address in the proposal?

    Answer: State Bar materials provided to the vendor are Confidential Information under Section IV (Confidentiality and Publicity) and may not be disclosed to any third party without the State Bar's prior written consent. Vendors that use third-party AI tools to process State Bar source content

should address, in their proposal and the Vendor AI FactSheet, the tools used, whether inputs are retained or used to train models, where data is processed and stored, and how confidentiality is maintained. Under Section III.A.18, the State Bar may incorporate GenAI-related contract clauses or reject offers that present an unacceptable level of risk.

87. Section II.C.5.n inquires about the use of AI in voiceovers. Are high-quality, commercially licensed synthetic AI voiceover platforms (such as ElevenLabs) acceptable for module narration—provided cost savings are passed on to the State Bar and full source scripts are provided—or does the State Bar strictly require human voiceover talent?

    Answer: The RFP does not prohibit AI-generated voiceovers. Vendors must disclose any use of AI in voiceovers, including the programs used (Section II.C.5.n), and must disclose GenAI use and submit the Vendor AI FactSheet (Section III.A.18). Any cost savings from AI use should be identified (Section II.C.5.m). Use of AI-generated voices in final courses is subject to State Bar approval, and vendors should price human voiceover as an alternative. Voice talent should reflect the diversity of California, and all licenses must allow the State Bar to own and use the deliverables as required by Section IV.

88. Section II.C.5 asks bidders to identify AI use in voiceovers. Are there any restrictions or specific approval requirements for using AI-generated voices in the final courses?

    Answer: Please see answer to question #87.

89. Are AI avatar presenters, such as those created using HeyGen, acceptable with disclosure and State Bar approval, or must on-screen presenters be human talent?

    Answer: Please see answer to question #87 regarding disclosure, licensing, and representation requirements.

90. Are AI-generated or AI-assisted animations and images acceptable in the final courses, subject to disclosure and State Bar approval? Are there any specific restrictions on these uses?

    Answer: The RFP does not prohibit AI-generated or AI-assisted animations and images. Their use must be disclosed under Section III.A.18 and in the Vendor AI FactSheet. Use in final courses is subject to State Bar approval. Vendors remain responsible for the intellectual property warranties in Section IV,

including that work product does not infringe third-party rights and that the State Bar receives good title, and must disclose any tool license terms that could limit the State Bar's ownership or use.

91. What level of detail does the generative AI disclosure require, and is AI-generated avatar or synthetic video acceptable for course delivery?

    Answer: Vendors must notify the State Bar in writing if they intend to provide GenAI as a deliverable or to use GenAI, including third-party GenAI, to complete all or any portion of the services or deliverables (Section III.A.18), and must complete the Vendor AI FactSheet. Disclosures should identify the tools used, the services or deliverables involved, and how outputs are reviewed. Please see answer to question #89 regarding avatar and synthetic video.

92. What uses of generative AI, if any, are permitted in course development or media production? What disclosure is expected if AI is used only for internal drafting or not used at all?

    Answer: The RFP does not prohibit GenAI in course development or media production, but all use must be disclosed (Section III.A.18), including use for internal drafting, since that is use of GenAI to complete a portion of the services. If GenAI is not used, vendors should indicate that in the Vendor AI FactSheet (see answer to question #95). Please see answers to questions #86 and #87.

93. Is AI-assisted drafting (for example, storyboards or scripts reviewed by instructional designers and State Bar SMEs) acceptable if fully disclosed, and are AI-generated voice-overs permitted?

    Answer: AI-assisted drafting reviewed by instructional designers and State Bar subject matter experts may be proposed if fully disclosed, subject to the State Bar's review under Section III.A.18. Please see answer to question #87 regarding AI-generated voiceovers.

94. Vendor AI FactSheet: Could you confirm where the Vendor AI FactSheet template can be downloaded?

    Answer: Documents can be found in our Business Opportunities Page

    https://www.calbar.ca.gov/about-us/business-opportunities

    AI FactSheet

95. If a bidder uses generative AI only for internal drafting (for example, first-draft scripts that staff review), is the AI FactSheet still required?

    Answer: Yes, please submit the AI FactSheet with answers that apply.

CPRA:

96. Is a CPA-compiled, unaudited profit and loss statement and balance sheet acceptable in place of an annual report, and will financial statements be treated as confidential rather than released under the Public Records Act?

    Answer: The most recent year's annual reports, or comparable document, including detailed current profit and loss, assets and liabilities, and other relevant financial data is requested.

    Submit your proposal with clear marks of confidential labels and a redacted document of your submission. Include the specific justification and legal authority for each redaction and why you believe the information is exempt from the California Public Records Act.

97. Are audited financial statements required, or are recent management-prepared statements acceptable? How will confidential financial information be protected in the procurement record?

    Answer: The most recent year's annual reports, or comparable document, including detailed current profit and loss, assets and liabilities, and other relevant financial data is requested.

    Submit your proposal with clear marks of confidential labels and a redacted document of your submission. Include the specific justification and legal authority for each redaction and why you believe the information is exempt from the California Public Records Act.
    Pending OGC Review

Small Business:

98. Which small-business certifications qualify for the 5% preference, and must the certification be active at submission?

Answer: If the vendor is a certified small business, they will receive a five percent (5%) bid preference, capped at $50,000, if the lowest cost responsive bid is received from a vendor that is not a certified small business. Proof of small business certification if vendor is certified as a small business by the California Department of General Services (DGS), or with a comparable small business certification from a California municipality is required.

Scoring:

99. How is legal-sector experience weighed within the 50-point technical/financial/capacity category? Are there minimum technical scores or other pass/fail thresholds before price is scored?

Answer: Legal-sector experience is considered within Category C (technical ability, financial viability, capacity, and flexibility), and relevant legal-sector experience and samples will be evaluated favorably (Section II.C.2). The RFP does not assign separate sub-weights within Category C or set minimum technical scores. However, proposals that fail to address all Submission Requirements in Section III.A may be deemed nonresponsive, and costs are evaluated only if a proposal is otherwise determined to be qualified.

100. How will the Pacific time zone preference affect scoring for a vendor outside Pacific time that commits to 9 a.m.–4 p.m. Pacific availability? Is California location or domestic production a separate eligibility condition?

Answer: The time zone preference is not a separate scored item; it is considered within Category C. Vendors outside the Pacific time zone may bid if they maintain availability from 9 a.m. to 4 p.m. Pacific time. California location and domestic production are not separate eligibility conditions, but the State Bar reserves the right to reject proposals that lack a domestic presence and team to work with, or an acceptable explanation and alternative (Section II.C.1). Vendors must also be qualified to do business in California (see answer to question #1).

OTHER:

101. Is full technical and financial proposal submission permitted by email without registration on a procurement portal? If so, which official submission mailbox should be used?

Answer: Proposals must be emailed to Grisel.Zendejas@calbar.ca.gov by the Submission Deadline noted on Page 1 of this RFP.

102. The E-Learning Services RFP PDF link on the Business Opportunities page appears unavailable to us. Could you share an accessible current RFP, including the cost-proposal template and all required annexes?

Answer: We are not providing a template for Itemized Cost Proposal, please submit your own itemized cost proposal titled as Attachment B in (.xls) format detailing fees by task and personnel and any anticipated reimbursable expenses. Travel expenses, if applicable, will be reimbursed in accordance with the State Bar's Travel and Business-Related Expense Policy. E-Learning Services RFP PDF, Attachment A (Vendor History Questionnaire) and State Bar Vendor AI Factsheet can be found in our business opportunities page. https://www.calbar.ca.gov/about-us/business-opportunities

103. Do the security, disaster recovery, and 24-hour restoration requirements apply in full to a developer that delivers SCORM/source files but does not host the LMS or store learner data?

Answer: The security, disaster recovery, and 24-hour restoration requirements do not apply to this RFP, because the scope is limited to developing and delivering course content.

104. The RFP requests disaster recovery commitments, including recovery within 24 hours, as well as data security and privacy controls. Given that the selected vendor will develop e-learning content rather than host the State Bar's LMS, should these requirements be addressed specifically in relation to the vendor's development systems, project files, and State Bar information handled during production?

Answer: The security, disaster recovery, and 24-hour restoration requirements do not apply to this RFP, because the scope is limited to developing and delivering course content.

105. Will you publish answers to these questions for all bidders, and when should we look for the addendum?

Answer: Q&A will be posted by November 5th
https://www.calbar.ca.gov/about-us/business-opportunities

106. Section III, item (8) – References: May a bidder count three distinct completed course projects delivered to the same client as separate projects, or must the three references come from three different clients?

Answer: Section III.A.8 requires at least three projects completed by the bidder within the past three years; it does not require three different clients. Distinct projects completed for the same client may be counted, though references from different clients are encouraged. The State Bar may request additional references.

107. Attachments A and B: Must the Excel files be returned as native .xls/.xlsx files, or will a PDF also be accepted? May bidders add rows to Attachment B for unit rates?

Answer: Yes, please return in .xsl/.xlsx files. Attachment B can have additional rows for unit rates.

108. Section III.A(10) asks for the most recent annual report or comparable document. For a privately held company founded in 2024 without audited statements, is a management-prepared profit and loss statement and balance sheet acceptable?

Answer: Audited statements are not required. A current management-prepared profit and loss statement and balance sheet may be submitted as a comparable document.

109. The company was formed August 8, 2026. Will a current balance sheet and profit-and-loss statement, plus federal EIN documentation, satisfy the annual report / financial statements requirement, or is a prior-year audited statement required?

Answer: The most recent year's annual reports, or comparable document, including detailed current profit and loss, assets and liabilities, and other relevant financial data is requested.