

REQUEST FOR PROPOSALS

COURT OF APPEAL, THIRD APPELLATE DISTRICT

REGARDING:

Maintenance of Copiers and Fax Machines
3 DCA RFP 11/12-03

PROPOSALS DUE:

WEDNESDAY, JUNE 20, 2012, NO LATER THAN 5:00 P.M. PACIFIC TIME

1.0 Description of Services and Deliverables

- 1.1 The Court of Appeal, Third Appellate District (Court), located in the U.S. Bank Tower, 621 Capitol Mall, Sacramento, California 95814, is seeking proposals from individuals or entities for maintenance services, supplies for, and repair of its inventory of copiers and fax machines.

Ct	Make/Model*	Serial #	Approximate Average Monthly Usage
1	Xerox WorkCentre BookMark 40	LBD002095	3,000
2	Xerox CopyCentre 232	URT151108	3,300
3	Xerox WorkCentre 5655PTC	WTD726230	10,500
4	Xerox CopyCentre 232	URT104324	225
5	Xerox WorkCentre 5655PTC	WTD725509	8,900
6	Xerox WorkCentre 55HC	NWL108906	3,000
7	Xerox WorkCentre 255HC	UTV103296	700
8	Xerox WorkCentre 5665PT	WTM778940	20,000
9	Xerox WorkCentre 5665PT	WTM004227	3,000
10	Xerox WorkCentre 7346	LXW321241	B&W - 1,800 Color- 2,000
11	Xerox WorkCentre 5755APT	XEH604670	4,300
12	Xerox WorkCentre 5755APT	XEH604537	6,600
13	Xerox WorkCentre 5740APT	XEH612699	700
14	Xerox WorkCentre 5740APT	XEH612635	1,300
15	Xerox WorkCentre M15i	PDE171907	60
16	Xerox WorkCentre M15i	PDE171896	15
17	Xerox WorkCentre M15i	PDE172047	15
18	Xerox WorkCentre 4118X	YHT646977	50
19	Xerox WorkCentre 4118X	PLA002766	60
20	Xerox WorkCentre 232HC	URT805645	1,750

- 1.2 This Request for Proposals will cover all the machines listed in Section 1.1. Maintenance proposals must include parts, labor, and supplies. The term of maintenance coverage will be for a 12-month period (July 1, 2012, through June 30, 2013) with the option to renew for three (3), one-year renewal periods (July 1, 2013, to June 30, 2014, and July 1, 2014, to June 30, 2015, and July 1, 2015, to June 30, 2016).
- 1.3 The service provider will be asked to provide:
- a. regular maintenance to ensure that the copiers and fax machines are in sufficient mechanical condition and continuing operation;

- b. new and original manufacturer’s parts and supplies or parts and supplies with quality and performance equal to those of the original manufacturer (including toner, developer, fuser oil, drums, rollers, circuit boards, and other necessary or optional parts and supplies, e.g. staples, for repair and operations) and labor necessary to maintain the copiers and fax machines in satisfactory operational order;
- c. prompt preventative and remedial maintenance during Court business hours, Monday through Friday excluding holidays, 8:30 AM - 5:00 PM;
- d. certified service technicians as may be required;
- e. service to the copying and fax machines at the current location of the Court at 621 Capitol Mall, Sacramento, California, and after its return to the Stanley Mosk Library and Courts Building, service at 914 Capitol Mall, Sacramento, California, and the location of the Mediation Center, 2890 Gateway Oaks Drive, Suite 210, Sacramento, California;
- f. a service response time within 24 hours of placing an order for services;
- g. a method to exchange information about number of copies generated by each machine and a regular and timely invoicing procedure providing sufficient detail regarding the location, level of use, applicable price, and invoiced cost for any particular machine; and
- h. resolution of any quality control or customer satisfaction issues.

2.0 Timeline for the RFP

The Court has developed the following list of key events related to this RFP. All dates are subject to change at the discretion of the Court.

EVENT	DATE
RFP issued	June 6, 2012
Deadline for questions	June 12, 2012
Questions and answers posted	June 15, 2012
Latest date and time proposal may be submitted,	June 20, 2012 5:00 p.m. P.T.
Evaluation of proposals (<i>estimate only</i>)	June 21, 2012

EVENT	DATE
Notice of Intent to Award (<i>estimate only</i>)	June 22, 2012
Negotiations and execution of contract (<i>estimate only</i>)	June 29, 2012
Contract start date (<i>estimate only</i>)	July 1, 2012
Contract end date (<i>estimate only</i>)	June 30, 2013
Notification on Option Year 1 (<i>estimate only</i>)	May 1, 2013
Notification on Option Year 2 (<i>estimate only</i>)	May 1, 2014
Notification on Option Year 3 (<i>estimate only</i>)	May 1, 2015

3.0 RFP Attachments

The following attachments are included as part of this RFP:

ATTACHMENT	DESCRIPTION
Attachment 1: Administrative Rules Governing RFP (IT Services)	These rules govern this solicitation.
Attachment 2: Appendix A: Statement of Work Appendix B: Pricing and Payment Appendix C: General Terms and Conditions Appendix D: Defined Terms	If selected, the person or entity submitting a proposal (the “Proposer”) must sign this Court Standard Form agreement containing these terms and conditions (the “Terms and Conditions”).
Attachment 3: Acceptance of Terms and Conditions	On this form the Proposer must indicate acceptance of the Terms and Conditions or identify exceptions to the Terms and Conditions. Note: A material deviation from the Terms and Conditions will render a proposal non-responsive.
Attachment 4: U.S. Bank Tower Tenant’s Vendor Insurance Requirements	Proposer must certify that the individual or entity can meet these insurance requirements.

4.0 Submission of Proposals

4.1 Proposals should provide straightforward, concise information that satisfies the requirements of the “Proposal Contents” section below. Expensive bindings, color displays, and the like are not necessary or desired. Emphasis should be

placed on conformity to the RFP's instructions and requirements, and completeness and clarity of content.

- 4.2 The Proposer must submit its proposal in two parts, the technical proposal and the cost proposal.
- a. The Proposer must submit **one (1) original and four (4) copies** of the technical proposal. The original must be identified as the original on the cover and bear the original signatures of an authorized representative of the Proposer. The Proposer must write the RFP title and number on the outside of the sealed envelope.
 - b. The Proposer must submit **one (1) original and four (4) copies** of the cost proposal. The original must be identified as the original on the cover and bear the original signature of an authorized representative of the Proposer. The original cost proposal (and the copies thereof) must be submitted to the Court in a single sealed envelope, separate from the technical proposal. The Proposer must write the RFP title and number on the outside of the sealed envelope.
 - c. The Proposer must submit one electronic file version of the entire proposal on a CD-ROM. The files contained on the CD-ROM should be in PDF, Word, or Excel formats.
- 4.3 Proposals must be delivered by the date and time listed on the coversheet of this RFP to:
- John G. Sulpizio
Supervising Administrative Specialist
Court of Appeal, Third Appellate District
621 Capitol Mall, 10th Floor
Sacramento, CA 95814
- 4.4 Late proposals will not be accepted.
- 4.5 Only written proposals will be accepted. Proposals must be sent by registered or certified mail, courier service (e.g., FedEx), or delivered by hand. Proposals may not be transmitted by fax or email.

5.0 Proposal Contents

- 5.1 Technical Proposal. The following information must be included in the technical proposal. A proposal lacking any of the following information may be deemed non-responsive.
- a. Proposer's name, address, telephone and fax numbers, and federal tax identification number. Note that if Proposer is a sole proprietor using his

or her social security number, the social security number will be required before finalizing a contract.

- b. Name, title, address, telephone number, and email address of the individual who will act as Proposer's designated representative for purposes of this RFP.
- c. Names, addresses, and telephone numbers of a minimum of three (3) clients for whom the Proposer has provided similar services. The Court may check references listed by Proposer.
- d. A thorough technical proposal describing
 - i. the proposer's background, expertise, and capacity to provide the required equipment, supplies, and services.
 - ii. experience servicing and maintaining the listed brand and models of copiers and faxes.
 - iii. information regarding the firm's qualifications (e.g. licensed dealer status, number of service technicians and their training, past commendations, etc.).
 - iv. description of techniques and/or approaches to assuring the maintenance and operational capacity of the Court's copier and fax machines.
 - v. identification of any subcontractors, if used, to perform services or to provide equipment, parts, or other supplies, and a description of the subcontractor's expertise and ability to perform its respective component of the work described herein.
 - vi. the source of equipment, parts, and supplies, if other than those of the original manufacturer of the copy or fax machines, and assurance that the equipment, parts, and supplies will perform equal to the original manufacturer's equipment, parts, and supplies.
- e. Acceptance of the Terms and Conditions.
 - i. On Attachment 3, the Proposer must either indicate acceptance of the Terms and Conditions or clearly identify exceptions to the Terms and Conditions. An "exception" includes any addition, deletion, qualification, limitation, or other change.
 - ii. If exceptions are identified, the Proposer must also submit a red-lined version of the Terms and Conditions that clearly tracks

proposed changes, and a written explanation or rationale for each exception and/or proposed change.

- iii. **Note: A material exception to a Minimum Term will render a proposal non-responsive. Minimum terms include those items described in Section 3.0 above.**

f. Certifications, Attachments, and Other Requirements.

- i. Proposer must include the following certification in its proposal:

Proposer has no interest that would constitute a conflict of interest under California Public Contract Code sections 10365.5, 10410 or 10411; Government Code sections 1090 et seq. or 87100 et seq.; or rule 10.103 or rule 10.104 of the California Rules of Court, which restrict employees and former employees from contracting with judicial branch entities.

- ii. If Proposer is a corporation, proof that Proposer is in good standing and qualified to conduct business in California.
- iii. Copies of current business licenses, professional certifications, or other credentials.
- iv. Proof of financial solvency or stability (e.g., balance sheets and income statements).
- v. A statement or certification that Proposer can meet the insurance requirements of the U.S. Bank Tower, 621 Capitol Mall, Sacramento, CA 95814, which are attached as Attachment 4.

g. Proposals will be evaluated by the Court using the following criteria:

- i. Ability to provide quality maintenance, trained technicians, and proven technical competency in the service to and the provision of quality parts and supplies for the listed copiers and fax machines;
- ii. Experience and success on similar assignments;
- iii. Reasonableness of cost; and
- iv. Acceptance of the Terms and Conditions and provision of certifications.

5.2 Cost Proposal.

- a. The Proposer may structure a cost proposal in any manner or form, but such form must provide sufficient detail and narrative explanation to be clear and understandable. The cost proposal must provide a cost for the Initial Term and all three (3) option years.
- b. The cost proposal must provide a “not to exceed” total for all work, service, parts, and supplies payable under the contract, if awarded, for the Initial Term. The cost proposal must also provide a “not to exceed” total for all three (3) option years.

Note: It is unlawful for any person engaged in business within this state to sell or use any article or product as a “loss leader” as defined in Section 17030 of the Business and Professions Code.

6.0 Offer Period

A Proposer's proposal is an irrevocable offer for ninety (90) days following the proposal due date. In the event a final contract has not been awarded within this period, the Court reserves the right to negotiate extensions to this period.

7.0 Evaluation of Proposals

At the time proposals are opened, each proposal will be checked for the presence or absence of the required proposal contents.

The Court will evaluate the proposals on a 100 point scale using the criteria set forth in the table below. Award, if made, will be to the highest scored proposal.

CRITERION	MAXIMUM NUMBER OF POINTS
Ability to provide quality maintenance, trained technicians, and proven technical competency in the service to and the provision of quality parts and supplies for the listed copiers and fax machines	20
Experience and success on similar assignments	20
Reasonableness of cost	50
Acceptance of the Terms and Conditions and provisions of certifications	10

8.0 Interviews

The Court may conduct interviews with Proposers to clarify aspects set forth in their proposals or to assist in finalizing the ranking of top-ranked proposals. The interviews may be conducted in person or by phone. If conducted in person, interviews will likely be held at the Court's offices. The Court will not reimburse Proposers for any costs incurred in traveling to or from the interview location. The Court will notify eligible Proposers regarding interview arrangements.

9.0 Confidential or Proprietary Information

One copy of each proposal will be retained by the Court for official files and will become a public record. California judicial branch entities are subject to rule 10.500 of the California Rules of Court, which governs public access to judicial administrative records (see www.courtinfo.ca.gov/cms/rules/index.cfm?title=ten&linkid=rule10_500).

If information submitted in a proposal contains material noted or marked as confidential and/or proprietary that, in the Court's sole opinion, meets the disclosure exemption requirements of Rule 10.500, then that information will not be disclosed upon a request for access to such records. If the Court finds or reasonably believes that the material so marked is **not** exempt from disclosure, the Court will disclose the information regardless of the marking or notation seeking confidential treatment.

10.0 Disabled Veterans Business Enterprise Participation Goals

The Court has waived the inclusion of DVBE participation in this solicitation.

11.0 Protests

Any protests will be handled in accordance with Chapter 7 of the Judicial Branch Contract Manual (see www.courts.ca.gov/documents/jbcl-manual.pdf). Failure of a Proposer to comply with the protest procedures set forth in that chapter will render a protest inadequate and non-responsive, and will result in rejection of the protest. The deadline for the Court to receive a solicitation specifications protest is June 20, 2012. Protests should be sent to:

Colette M. Bruggman, Assistant Clerk/Administrator
Court of Appeal, Third Appellate District
621 Capitol Mall, 10th Floor
Sacramento, CA 95814