

RFP Title: Building Services Agreement
RFP Number: 4/2 RFP 12/13-03CK

REQUEST FOR PROPOSALS

***COURT OF APPEAL, FOURTH APPELLATE DISTRICT,
DIVISION TWO***

REGARDING:

***BUILDING SERVICES AGREEMENT: LANDSCAPING
4/2 RFP 12/13/-03***

Addendum 1

PROPOSALS DUE: REVISED

DECEMBER 21, 2012 NO LATER THAN 4:00 P.M. PACIFIC TIME

1.0 DESCRIPTION OF SERVICES AND DELIVERABLES

The Court seeks the services of a person or entity with expertise in monthly landscape maintenance of the Court's exterior grounds.

1.1 Turf Management:

Turf will be mowed on a weekly basis so that grass will not attain a height of more than three inches. Trimming around all trees, shrub and walkways will be done to maintain a manicured look. Blades will be sharpened monthly to maintain a clean cut. All walkways, driveways and roadways will be kept clean of clippings at all times (weather permitting).

1.2 Shrub Bed Maintenance:

- Depending on seasonal growth, all shrubs will be pruned or sheered to maintain the aesthetic qualities. Pruning is performed to keep shrubs in bounds of the bed and also to encourage new growth.
- Shrub area where City Fire Equipment is located is to be kept clean, trimmed and accessible at all times.
- Shrub area where City Water Pump is located is to be kept clean, trimmed and accessible at all times.
- Vines that grow on north side of property are to be kept clean and trimmed so as not to interfere with the County parking lot adjacent.
- Pre-Emergent will be applied in spring to prevent weed growth.
- Pre-Emergent and Post-emergent will be applied on a regular basis or as Proposer determines appropriate for control.
- Weeding will be performed weekly while turf is being maintained.

1.3 Ornamental/Shade Tree Maintenance (up to 4 inch caliber):

Pruning shall be performed as necessary to repair injury, remove dead wood, maintain plant's/tree's natural shape and produce more beautiful blooms.

1.4 Fertilization:

- Proposer to provide all labor and materials to fertilize law, shrubs and ground cover to maintain proper nutrient levels and provide a consistent, healthy appearance.
- Three applications of fertilizer will be applied throughout the year or as needed.
- Schedule is as follows: 3 times a year: spring, early fall and late fall.

1.5 Notification to Court re potential problems/concerns within the landscaping:

Proposer is to notify the Court in writing of any potential landscaping concerns e.g. irrigation issues, infestations etc.

2.0 GENERAL CONDITIONS:

2.1 Uniformed Staff:

Proposer will provide uniformed staff overseen by the Proposer's onsite supervisors and/or area managers.

2.2 Work Performed:

All of the above work is to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from the above specifications involving extra cost of materials or labor will be executed upon written orders.

2.3 Holidays and Rain:

Thanksgiving, Christmas, New Years, Labor Day, Memorial Day and the 4th of July are recognized as holidays. If the Proposer's scheduled service day lands on one of the above days, the service will be performed the next day, if not, then the following week. The same applies to when it rains on the scheduled service day.

2.4 Insurance Requirements:

The Proposer is to supply the Court with a certificate of liability and/or workman's compensations within two (2) weeks of the award of contract.

3.0 WORK HOURS:

Proposer will provide all landscaping maintenance located at 3389 12th Street, Riverside, CA 92501as set forth on the list of Description of Services provided for in this Request for Proposal, Building Services Agreement for Landscaping. All services provided under this agreement will be performed during normal working hours (Monday-Friday 7:00 a.m. to 5:00 p.m.) unless otherwise specified or under General Provisions 2.3 Holidays and Rain.

4.0 SERVICES NOT INCLUDED:

- Irrigation repairs.
- Treatment for rodents, snails, diseases or pests on lawns, trees or shrubs.
- Parking lot sweeping or litter pickup (except for debris from Proposer).
- Scalping or renovation of lawn areas.
- Correction of pre-existing conditions such as dead or dying plant material.
- Severe pruning of plants, such as wood shrubs, beyond level that existed at start of contract.
- Tree trimming.
- Cleaning and/or repairing due to acts of vandalism, natural disasters or act of God e.g. rain, freeze, wind, fire etc.

5.0 TIMELINE FOR THIS 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	12/10/2012
Deadline for questions	12/17/2012
Questions and answers posted Email Address:	12/19/2012
Latest date and time proposal may be submitted	12/21/2012 at 4:00 p.m. P.T.
Evaluation of proposals (<i>estimate only</i>)	Week of 12/24/2012
Notice of Intent to Award (<i>estimate only</i>)	Week of 12/31/2012
Negotiations and execution of contract (<i>estimate only</i>)	Week of 1/7/13
Contract start date (<i>estimate only</i>)	2/1/13
Contract end date (<i>estimate only</i>)	1/31/14

6.0 RFP ATTACHMENTS

The following attachments are included as part of this RFP:

Attachment	DESCRIPTION
Attachment 1: Administrative Rules Governing RFPs (Non-IT Services)	These rules govern this solicitation.
Attachment 2: Court Standard Terms and Conditions	If selected, the Proposer or entity submitting a proposal (the "Proposer") must sign this Court Standard Form Agreement containing these terms and conditions (the "Terms and Conditions"). If exceptions are taken to this Attachment, Proposer must red-line the Agreement and include it with their RFP response.

Attachment 3: Proposer's 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 exception to a Minimum Term will render a proposal non-responsive.
Attachment 4: Darfur Contracting Act Certification	Proposer must complete the Darfur Contracting Act Certification and submit the completed certification with its proposal.
Attachment 5: Payee Data Record Form	This form contains information the Court requires in order to process payments and must be submitted with the proposal.

7.0 SUBMISSIONS OF PROPOSALS

- 7.1 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.
- 7.2 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 three (3) copies** of the technical proposal. The original must be signed by 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 three (3) copies** of the cost proposal. The original must be signed by 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.
- 7.3 Proposals must be delivered by the date and time listed on the coversheet of this RFP to:

Paula D. Garcia
Assistant Clerk/Administrator
Court of Appeal, 4th Appellate District, Division 2
3389 12th Street
Riverside, CA 92501

- 7.4 Late proposals will not be accepted.
- 7.5 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 email.

8.0 PROPOSAL CONTENTS

8.1 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. 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, or other modification.
 - 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.**
- d. 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 10.014 of the California Rules of Court, which restrict employees and former employees from contracting with judicial branch entities.

- ii. Proposer must complete the Darfur Contracting Act Certification (Attachment 4) and submit the completed certification with its proposal.
- iii. If Proposer is a corporation, limited liability company, or limited partnership, proof that the Proposer is in good standing and qualified to conduct business in California.

8.2 Cost Proposal. The following information must be included in the cost proposal.

- i. A detailed line item budget showing total cost of the proposed services.
- ii. A full explanation of all budget line items in a narrative entitled “Budget Justification.”
- iii. A “not to exceed” total for all work and expenses payable under the contract, if awarded.

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

9.0 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.

10.0 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. If a contract will be awarded, the Court will post an intent to award notice at www.courtinfo.ca.gov/4dca.htm, Division 2.

CRITERION	MAXIMUM NUMBER OF POINTS
<i>Quality of work plan submitted</i>	10%
<i>Experience on similar assignments</i>	30%
<i>Cost</i>	50%
<i>Credentials of staff to be assigned to the project</i>	5%
<i>Acceptance of the Terms and Conditions</i>	5%

11.0 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.

12.0 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 Rule 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.

Notwithstanding the above, the California Public Contract Code requires the public inspection of certain proposals. If required to do so by the Public Contract Code, a Court may disclose all information contained in a proposal, including information marked as confidential or proprietary.

13.0 DISABLED VETERAN BUSINESS ENTERPRISE PARTICIPATION GOALS

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

14.0 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 December 21, 2012

Manuel A. Ramirez, Presiding Justice
Court of Appeal, Fourth Appellate District, Division 2
3389 Twelfth Street
Riverside, CA 92501