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| RC2 |  | REQUEST FOR PROPOSALS |
| **JUDICIAL COUNCIL OF CALIFORNIA**  **RFP: CJER-201601-1-JR**  **RFP Title: AV Video Systems Maintenance and Repair Services**  **PROPOSALS DUE: February 16, 2016, NO LATER THAN 3:00 P.M., Pacific Time.** |

1. **BACKGROUND INFORMATION**

1.1 The Judicial Council of California (“Judicial Council”), chaired by the Chief Justice of California, is the chief policy making agency of the California judicial system, and includes the superior courts, appellate courts and state supreme court. The California Constitution directs the Council to improve the administration of justice by surveying judicial business, recommending improvements to the courts and making recommendations annually to the Governor and the Legislature. The Judicial Council also adopts rules for court administration, practice and procedure, and performs other functions prescribed by law. The Judicial Council is comprised of twenty-eight (28) members representing the judicial system as well as the State Bar and both houses of the State Legislature.

1.2 The Judicial Council is located in San Francisco. It is comprised of various divisions one of which is the Center for Judicial Education and Research (“CJER”), which manages the audio-visual technical infrastructure and systems in Judicial Council facilities.

1.3 The Judicial Council currently has integrated audio-visual systems and equipment in two (2) cities statewide: **San Francisco** (455 Golden Gate Avenue) **and Sacramento** (2850 and 2860 Gateway Oaks Drive) (individually and collectively “Judicial Council Location(s)”).

1.4 The Judicial Council utilizes the systems and equipment in shared conference spaces for the purposes of administrative, educational, and ceremonial functions. The equipment and spaces vary depending upon location. **San Francisco** has the largest spaces consisting of two (2) conference centers with nineteen (19) meeting rooms, two (2) audio-visual control rooms, one (1) courtroom, and one (1) television broadcast production studio. The conference centers accommodate an average of fifty (50) meetings per week. The **Sacramento** location consist of a conference space with Crestron or AMX integrated control systems and installed presentation equipment, a training space with integrated AMX control system and installed presentation equipment, and a stand-alone videoconference capable room with display equipment.

1. **PURPOSE OF THIS RFP**
   1. The Judicial Council seeks to identify and award a contract for services to one (1) Contractor to provide audio-visual equipment Maintenance and Repair services for systems and equipment in Judicial Council Locations. The Contractor must provide remote telephonic support services, on-site repair and replacement services for equipment and parts, and coordinate the use of loaner equipment as applicable. The Contractor must also perform standard and Emergency Assistance Maintenance and Repair at the Judicial Council Location(s), basic Judicial Council staff training as needed, and simple installation work, in accordance with the work of the Agreement.
   2. Additional information about and documents pertaining to this solicitation, including electronic copies of the solicitation documents, can be found on the California Courts Website located at [www.courts.ca.gov/rfps.htm](http://www.courts.ca.gov/rfps.htm) (“Court’s Website”).
   3. The Judicial Council expects the selected person or entity submitting a proposal (“Proposer”) to perform activities and responsibilities associated with the solicitation for up to three (3) years, in accordance with the Option Terms outlined in Paragraph 2.4. The contract awarded from a solicitation for such services is expected to range from **$10,000.00 - $20,000.00** per Term.
   4. If a contract is awarded, Services are expected to be performed by the Contractor for a period of one (1) year from **March 1, 2016** to **February 28, 2017 (“Initial Term”)** with the option to extend the Agreement for two consecutive one-year option terms under the same terms and conditions and same compensation cost for each Option Term. The decision to exercise the option terms will be at the Judicial Council’s sole discretion. These option terms are defined as: **First Option Term: March 1, 2017** to **February 28, 2018** and **Second Option Term: March 1, 2018** to **February 28, 2019.**
   5. Terms Used in this RFP. Definitions used in this RFP are provided in Attachment 2, Exhibit A, General Terms and Conditions, sub paragraph 1. Definitions.
2. **DESCRIPTION OF GOODS AND/OR SERVICES** 
   1. **Scope of Services.** The Contractor must provide Maintenance and Repair services of the installed audio-visual systems and equipment to all Judicial Council Locations, including Maintenance and Repair services, replacement equipment and parts, simple installation services, Judicial Council staff training and consulting, Preventative Maintenance site visits and reporting services. The Contractor must perform simple installation work in the performance of Maintenance and Repair services. The documentation for Services must include the Acceptance and Sign-off Form (Attachment 2, Exhibit D) and the Contractor’s invoice. Additional invoice(s) should be added, if necessary.
   2. **Judicial Council Location Maintenance and Repair Services.**
      1. The Contractor must provide a toll free number to receive trouble and service request calls from Judicial Council AV personnel during Standard Business Hours.
      2. The Contractor must coordinate and provide standard on-site Maintenance and assessment of malfunctioning equipment within forty-eight (48) hours of the request.
      3. The Contractor must coordinate and provide Emergency Assistance at all Judicial Council Locations. Contractor must assessment of malfunctioning equipment within four (4) Standard Business Hours of such request.
      4. The Contractor must provide and install loaner equipment if repairs are to exceed forty-eight (48) hours.
   3. **Training and Consulting Services.**
      1. The Contractor must provide training to Judicial Council staff on an “as needed basis” where determined by the Judicial Council Project Manager for applicable installed and portable audio-visual equipment and systems in coordination with the Judicial Council Project Manager. Recordation of training must be made and submitted to the Judicial Council Project Manager.
      2. The Contractor must make all commercial efforts to provide immediate remote telephone consultation services for new equipment and technology assessment and solution inquiries.
   4. **Simple Installation Services.**

The Contractor must perform simple installation work, in accordance with the performance of the maintenance and services work, as set forth in this Agreement.

* 1. **Reporting Services.**

The Contractor must provide a bi-annual service report of all Maintenance and Services Work completed, as set forth in this Agreement to the Judicial Council Project Manager in a report format suggested by the Contractor and approved by the Judicial Council Project Manager.

* 1. **Cancellation of Services.**

The Judicial Council may inquire into availability of services on a per-specific-event basis. The Judicial Council may “book” inquiries on the date of the event or months in advance, and may cancel at any time.

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1. **TIMELINE FOR THIS RFP**

The Judicial Council has developed the following list of key events related to this RFP.

| **EVENT** | **DATE** |
| --- | --- |
| RFP issued**:** | **February 2, 2016** |
| Deadline for questions | **February 9, 2016**, No later than 3pm, Pacific Time |
| Questions and answers posted (estimated only) | **February 10, 2016** |
| Latest date and time proposal may be submitted | **February 18, 2016**, No later than 3pm, Pacific Time. |
| Evaluation of non-cost proposals (*estimate only*) | **February 18, 2016** through **February 22, 2016** |
| Non-cost proposals scores posted at [www.courts.ca.gov/rfps.htm](http://www.courts.ca.gov/rfps.htm) (estimate only) | **February 23, 2016** |
| Public opening of cost portion of proposals. Notice of date, time, and location will be posted at [www.courts.ca.gov/rfps.htm](http://www.courts.ca.gov/rfps.htm) (estimate only) | **February 24, 2016** |
| Evaluation of cost portion of proposals (estimated only) | **February 24, 2016 through February 25, 2016** |
| Notice of Intent to Award (*estimate only*) | **February 26, 2016** |
| Negotiations and execution of contract (*estimate only*) | **March 4, 2016** |
| Contract start date (*estimate only*) | **March 7, 2016** |
| Contract end date (*estimate only*) | **February 28, 2017** |

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1. **RFP ATTACHMENTS**

The following Attachments are included as part of this RFP.

| **ATTACHMENT** | **DESCRIPTION** |
| --- | --- |
| **Attachment 1:** Administrative Rules Governing RFPs (IT Services): | These rules govern this solicitation. |
| **Attachment 2:** Judicial Council Standard Terms and Conditions | If selected, the person or entity submitting a proposal (the “Proposer”) must sign a Judicial Council Standard Form agreement containing these terms and conditions (the “Terms and Conditions”). |
| **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. |
| **Attachment 4:** General Certifications Form | The Proposer must complete the General Certifications Form and submit the completed form with its proposal. |
| **Attachment 5:** Small Business Declaration | The Proposer must complete this form only if it wishes to claim the small business preference associated with this solicitation. |
| **Attachment 6:** Payee Data Record Form | This form contains information the Judicial Council requires in order to process payments and must be submitted with the proposal. |
| **Attachment 7:** Iran Contracting Act Certification | The Proposer must complete the Iran Contracting Certification Form and submit the completed form with its proposal. |
| **Attachment 8:** DVBE Declaration | Complete this form only if the Proposer wishes to claim the DVBE inventive associated with this solicitation. |
| **Attachment 9:** Bidders Declaration | Complete this form only if the Proposer wishes to claim the DVBE incentive associated with this solicitation. |
| **Attachment 10:**  Cost Proposal Pricing Form | The Proposer must submit pricing, using this form, that reflects the anticipated work to be performed and payment provisions that would be set forth in a subsequent contract, if awarded. |
| **Attachment 11:** Equipment Inventory List | The inventory list identifies the equipment currently installed at Judicial Council locations and is subject to change. |

1. **SUBMISSIONS OF PROPOSALS**

### 6.1 Proposals should provide straightforward, concise information that satisfies the requirements of *Section 7.0, Proposal Contents*. 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.

### The Proposer must submit its proposal *in two parts*, the technical proposal and the cost proposal.

### 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 i) seal and write the RFP title and RFP number on the outside of the sealed envelope; and ii) identify the sealed envelope as “Technical Proposal”.

### The Proposer must submit one (1) original and three (3) copies of the cost proposal, Attachment 10. 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 Judicial Council in a single sealed envelope, separate from the technical proposal. The Proposer must i) seal and write the RFP title and RFP number on the outside of the sealed envelope; and ii) identify the sealed envelope as “Cost Proposal”.

### The Proposer must submit an electronic version of the technical and cost proposals on separate thumb drive or CD-ROM disks (“Electronic Media”). The files contained on the Electronic Media must be in PDF as well as editable/unprotected Word or Excel formats. The Proposer must i) seal and write the RFP title and RFP number on the outside of the sealed envelope; and ii) identify the sealed envelope as “Electronic Media”.

### Proposals must be delivered by the date and time listed on the coversheet of this RFP to:

Judicial Council of California

Finance | Business Services

**Attn: Nadine McFadden**

**RFP# CJER-201601-1-JR**

455 Golden Gate Avenue, 6th Floor

San Francisco, CA 94102-3688

### Proposals must be received by the date and time listed on the coversheet of this RFP. Late proposals will not be accepted.

### 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.

* 1. **PROPOSAL CONTENTS**
  2. Non-Cost Portion. The following information must be included in the non-cost portion of the proposal. A proposal lacking any of the following information may be deemed non-responsive.
     1. 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.
     2. Name, title, address, telephone number, and email address of the individual who will act as Proposer’s designated representative for purposes of this RFP.
     3. Names, addresses, and telephone numbers of a minimum of three (3) clients for whom the Proposer has provided similar services. The Judicial Council may check references listed by Proposer.
     4. For each key staff member: a resume describing individual(s) background and experience, as well as the individual(s) ability and experience in conducting the proposed activities. This file should be in unprotected Word format.
     5. Proposed approach and methodology employed to complete the work, a copy of the Proposer’s service estimate form and a preventative maintenance checklist.
     6. Acceptance of the Terms and Conditions (Attachment 3)
        1. 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.
        2. If exceptions are identified, the Proposer must also submit a red-lined version of the Contract Terms and Conditions (Attachment 2) that clearly tracks proposed changes, and a written explanation or rationale for each exception and/or proposed change.
     7. Certifications, Attachments, and other requirements
        1. Proposer must include in its proposal a completed and signed Vendor Data Record Form (Attachment 6), or provide a copy of the form previously submitted to the Judicial Council.
        2. Pursuant to Public Contract Code (PCC) section 2204, an Iran Contracting Act certification is required for solicitations of goods or services of $1,000,000 or more, the Proposer must include an Iran Contracting Certification Form (Attachment 7).
        3. Attachments 8 and 9, if applicable.
        4. Proposer must submit with its proposal, for itself and each of its affiliates that make sales for delivery into California, a copy of either (i) a California seller's permit issued under Revenue and Taxation Code section 6066 et seq. or (ii) a certificate of registration issued under Revenue and Taxation Code section 6226.
        5. If Proposer is a corporation, proof that Proposer is in good standing and qualified to conduct business in California.
        6. Copies of current business licenses, professional certifications, or other credentials.
        7. Proof of financial solvency or stability (e.g., balance sheets and income statements).
  3. Cost Portion. The following information must be included in the cost portion of the proposal.
     1. AV Maintenance and Repair Services.
        1. Detailed line item budget showing total cost of the proposed services.
        2. Full explanation of all budget line items in a narrative entitled “Budget Justification.”
        3. Not-To-Exceed” total for all work and expenses payable under the contract, if awarded.
     2. Cost Proposal Pricing Form (Attachment 10).

The Proposer is to provide a cost proposal which encompasses all pricing, including the applicable charges, costs, fees, labor, benefits, expenses, markups, overhead, and profits, necessary to provide the Judicial Council Locations with the Work.

**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.

1. **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 Judicial Council reserves the right to negotiate extensions to this period.

1. **EVALUATION OF PROPOSALS**

The cost portion of proposals will be publicly opened on the date, time and location set forth in the Notice posted to the Court’s Website (see Section 4.1). At the time proposals are opened, each proposal will be checked for the presence or absence of the required proposal contents.

* 1. Proposals that contain false or misleading statements may be rejected if, in the opinion of the Judicial Council, the information was intended to mislead the state regarding a requirement of the solicitation document.
  2. If a proposal fails to meet a material solicitation document requirement, the proposal may be rejected. A deviation is material to the extent that a response is not in substantial accord with solicitation document requirements. Material deviations cannot be waived. Immaterial deviations may also cause a proposal to be rejected.
  3. Cost sheets will be checked only if a proposal is determined to be otherwise qualified. All figures entered on the cost sheets must be clearly legible.
  4. During the evaluation process, the Judicial Council may require a Proposer's representative to answer questions with regard to the Proposer’s proposal. Failure of a Proposer to respond and demonstrate in a timely manner that the claims made in its proposal are, in fact, true may be sufficient cause for deeming a proposal nonresponsive.
  5. A Proposer is eligible for a total of one hundred (100) points for the written proposal.
  6. Written proposals will be evaluated by the Judicial Council per the following selection criteria and weighting:

| **CRITERION** | **maximum number of points** |
| --- | --- |
| Cost | 50 |
| Quality and specificity of work plan submitted | 20 |
| Specialized expertise, technical competence, experience on similar projects, and reference checks | 15 |
| Acceptance of the Terms and Conditions | 10 |
| (“DVBE”) Incentive Disabled Veterans Business Enterprise incentive is available to qualified proposers. | 3 |
| References | 2 |
| Maximum Number of Points | **100** |

**10.0 INTERVIEWS**

The Judicial Council 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 interview process may require a demonstration. The interview may also require a demonstration of equivalence if a brand name is included in the specifications. The interviews may be conducted in person or by phone. If conducted in person, interviews will likely be held at the Judicial Council’s offices. The Judicial Council will not reimburse Proposers for any costs incurred in traveling to or from the interview location. The Judicial Council will notify eligible Proposers regarding interview arrangements.

1. **CONFIDENTIAL OR PROPRIETARY INFORMATION**

One copy of each proposal will be retained by the Judicial Council 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](http://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 Judicial Council’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 Judicial Council finds or reasonably believes that the material so marked is not exempt from disclosure, the Judicial Council 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 Judicial Council may disclose all information contained in a proposal, including information marked as confidential or proprietary.

1. **DISABLED VETERAN BUSINESS ENTERPRISE INCENTIVE**
   1. Qualification for the DVBE incentive is not mandatory. Failure to qualify for the DVBE incentive will not render a proposal non-responsive.
   2. Eligibility for and application of the DVBE incentive is governed by the Judicial Council’s DVBE Rules and Procedures. Proposer will receive a DVBE incentive if, in the Judicial Council’s sole determination, Proposer has met all applicable requirements. If Proposer receives the DVBE incentive, a number of points will be added to the score assigned to Proposer’s proposal. The number of points that will be added is specified in Section 9 above.
   3. To receive the DVBE incentive, at least 3% of the contract goods and/or services must be provided by a DVBE performing a commercially useful function. Or, for solicitations of non-IT goods and IT goods and services, Proposer may have an approved Business Utilization Plan (“BUP”) on file with the California Department of General Services (“DGS”).
   4. If Proposer wishes to seek the DVBE incentive:
      1. Proposer must submit with its proposal a DVBE Declaration (Attachment 8) completed and signed by each DVBE that will provide goods and/or services in connection with the contract. If Proposer is itself a DVBE, it must complete and sign the DVBE Declaration. If Proposer will use DVBE subcontractors, each DVBE subcontractor must complete and sign a DVBE Declaration. NOTE: The DVBE Declaration is not required if Proposer will qualify for the DVBE incentive using a BUP on file with DGS.
      2. Proposer must complete and submit with its proposal the Bidder Declaration (Attachment 9). Proposer must submit with the Bidder Declaration all materials required in the Bidder Declaration.
   5. Failure to complete and submit these forms as required will result in Proposer not receiving the DVBE incentive. In addition, the Judicial Council may request additional written clarifying information. Failure to provide this information as requested will result in Proposer not receiving the DVBE incentive.
   6. If this solicitation is for IT goods and services, the application of the DVBE incentive may be affected by application of the small business preference. For additional information, see the Judicial Council’s Small Business Preference Procedures for the Procurement of Information Technology Goods and Services.
   7. If Proposer receives the DVBE incentive: (i) Proposer will be required to complete a post-contract DVBE certification if DVBE subcontractors are used; (ii) Proposer must use any DVBE subcontractor(s) identified in its proposal unless the Judicial Council approves in writing the substitution of another DVBE; and (iii) failure to meet the DVBE commitment set forth in its proposal will constitute a breach of contract.

**FRAUDULENT MISREPREPRETATION IN CONNECTION WITH THE DVBE INCENTIVE IS A MISDEMEANOR AND IS PUNISHABLE BY IMPRISONMENT OR FINE, AND VIOLATORS ARE LIABLE FOR CIVIL PENALTIES. SEE MVC 999.9.**

1. **SMALL BUSINESS PREFERENCE**

Small business participation is not mandatory. Failure to qualify for the small business preference will not render a proposal non-responsive.

Eligibility for and application of the small business preference is governed by the Judicial Council’s Small Business Preference Procedures for the Procurement of Information Technology Goods and Services. The Proposer will receive a small business preference if, in the Judicial Council’s sole determination, the Proposer has met all applicable requirements. If the Proposer receives the small business preference, the score assigned to its proposal will be increased by an amount equal to 5% of the points assigned to the highest scored proposal. If a DVBE incentive is also offered in connection with this solicitation, additional rules regarding the interaction between the small business preference and the DVBE incentive apply.

To receive the small business preference, the Proposer must be either (i) a Department of General Services (“DGS”) certified small business or micro-business performing a commercially useful function, or (ii) a DGS-certified small business nonprofit veteran service agency.

If the Proposer wishes to seek the small business preference, the Proposer must complete and submit with its proposal the Small Business Declaration (Attachment 5). The Proposer must submit with the Small Business Declaration all materials required in the Small Business Declaration.

Failure to complete and submit the Small Business Declaration as required will result in the Proposer not receiving the small business preference. In addition, the Judicial Council may request additional written clarifying information. Failure to provide this information as requested will result in the Proposer not receiving the small business preference.

If the Proposer receives the small business preference, (i) the Proposer will be required to complete a post-contract report; and (ii) failure to meet the small business commitment set forth in its proposal will constitute a breach of contract.

**FRAUDULENT MISREPREPRETATION IN CONNECTION WITH THE SMALL BUSINESS PREFERNCE IS UNLAWFUL AND IS PUNISHABLE BY CIVIL PENALTIES. SEE GOVERNMENT CODE SECTION 14842.5.**

1. **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](http://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 nonresponsive, and will result in rejection of the protest. The deadline for the Judicial Council to receive a solicitation specifications protest is listed in the RFP timeline in this document. Protests should be sent to:

Judicial Council of California

Finance | Business Services

**Attn: Protest Officer**

**RFP# CJER-201601-1-JR**

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San Francisco, CA  94102-3688