



Judicial Council of California
Administrative Office of the Courts

Finance Division
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Finance Division

TO: POTENTIAL PROPOSER

FROM: Administrative Office of the Courts
Office of Capital Planning, Design, and Construction

DATE: November 8, 2002

**SUBJECT/
PURPOSE OF
MEMO:** REQUEST FOR PROPOSALS
SEISMIC ASSESSMENT PROGRAM - CONSULTING
STRUCTURAL ENGINEER

**ACTION
REQUESTED:** You are invited to review and respond to the attached Request for
Qualifications ("RFQ").
Project Title: Court Building Seismic Assessment Program - Consulting
Engineer
RFQ Number: CSE01

DEADLINE: **Proposals must be received by 5 p.m. on November 25, 2002.**

**SUBMISSION OF
PROPOSAL:** Proposals should be sent to:
Judicial Council of California
Administrative Office of the Courts
Attn: Nadine McFadden
455 Golden Gate Avenue
San Francisco, CA 94102

**CONTACT FOR
FURTHER
INFORMATION:** **NAME:** Clifford Ham **TEL:** 415-865-7550 **FAX:** 415-865-7524 **EMAIL:** clifford.ham@jud.ca.gov

1.0 GENERAL INFORMATION

1.1 Background

The Judicial Council of California, chaired by the Chief Justice of California, is the chief policy making body of the California judicial system. 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 Council also adopts rules for court administration, practice, and procedure, and performs other functions prescribed by law. The Administrative Office of the Courts (AOC) is the staff agency for the Council and assists both the Council and its chair in performing their duties.

1.2 Seismic Assessment

The Trial Court Facilities Act of 2002 (SB 1732) establishes a process for the transfer of ownership and management responsibility for approximately 451 of California's court buildings containing about 10 million usable square feet of area from the counties to the state. This legislation requires that the State evaluate buildings containing court facilities for seismic safety, in preparation for the possible transfer of responsibility. The evaluations will be based on the risk acceptability methods and criteria developed by the Department of General Services (DGS) and FEMA 310 guidelines. The AOC has reviewed the entire inventory of court buildings statewide and identified approximately 240 buildings that require seismic evaluation. The purpose of the Court Building Seismic Assessment Program is to develop defensible risk level assessments for the identified court buildings in an expeditious and responsible manner.

1.3 Master Agreements with Planning Consultants

The Seismic Assessment project is within the scope of current existing agreements (“Master Agreements”) the AOC has executed with seven (7) planning consultants (“Master Planners”). The AOC is managing the solicitation process on behalf of the Master Planners. Award, if any, of the Seismic Assessment project will be made by the Master Planners from a list of proposers which the AOC has determined demonstrate the qualifications and other requirements, as set forth in this RFQ.

2.0 PURPOSE OF THIS RFQ

On behalf of the Master Planners currently under contract, the AOC is seeking to identify the services of several consulting structural engineers licensed in California, (Engineer) with demonstrated and widely respected expertise in evaluation of existing buildings and

determination of the risk and magnitude of damage due to probable seismic events. Acceptance and/or evaluation by the AOC of any proposal received in response to this RFQ will not, under any circumstance, establish that the proposer has been pre-qualified for the project by the AOC.

3.0 SCOPE OF SERVICES

The Engineers shall work collaboratively together and with the AOC, Office of Planning, Design & Construction, the Master Planner, and a Supervising Structural Engineer (to be selected under separate solicitation by the AOC) in a two-stage screening and evaluation of court buildings throughout the state, to assign risk levels (DGS Risk acceptability I to VII). The principal of each selected engineering firm shall participate in a Consulting Engineers Group with other notable engineers to provide initial screening in a weeklong group workshop. Subsequently, individual Engineers will conduct detailed evaluations of certain buildings that could not be assigned risk levels by initial screening. Both stages of evaluations will use criteria; procedures and forms developed by the Supervising Structural Engineer based on DGS and FEMA guidelines.

3.1 Services will be performed by the consultants between approximately December 2002 and December 2003. Refer to the attached preliminary schedule (Attachment B) for the approximate and desired durations of individual program components.

Initial Screening:

3.2 As a member of the Consulting Engineers Group, participate in a 4-5 day workshop at the AOC in San Francisco to evaluate and assign risk levels to as many of the identified court buildings as warranted. The Supervising Structural Engineer, based on FEMA 310 Tier 1 procedures, will develop seismic evaluation criteria and procedures for an initial screening.

3.2.1.1 Reviews will be conducted in a substantive manner, by small teams of 2-3 Engineers using drawings, reports and local geologic information provided by the AOC. Engineers will verify that the findings of others are consistent with the criteria, objective, and based on sound engineering judgments.

3.2.1.2 The Consulting Engineers Group will develop the risk level assignments or determine that a building requires a more detailed evaluation under the criteria. It shall be the responsibility of this Board to agree on the determinations for all identified court buildings at the conclusion of the workshop.

3.2.1.3 The Supervising Structural Engineer will document the specific building-by-building findings of the initial screening workshop.

Detailed Evaluations:

- 3.2.2 The Engineers, as the members of the Consulting Engineers Group, shall perform detailed evaluations of certain court buildings using seismic criteria, instructions, worksheets, report and summary sheet templates (based on FEMA 310 Tier 2 procedures) provided by the Supervising Structural Engineer. These evaluations will occur during a 60-90 day period following the initial assessment workshop. Each engineering firms will evaluate approximately eight to ten (8 to 10) buildings depending on the results of initial screening. Assignments of buildings to the Engineer, if any, will be made at the sole discretion of the AOC, in consultation with the Supervising Structural Engineer and the Master Planner.
- 3.2.2.1 Evaluate each building, if any, using Linear Static or Linear Dynamic analysis to determine the deficiencies and the risk level.
- 3.2.2.2 Perform on-site investigations of each assigned building. Document observations using standard report forms.
- 3.2.2.3 Retain geotechnical engineers, as required, to provide regional knowledge and to verify specific subsurface factors for the detailed evaluation and risk level assignments.
- 3.2.2.4 Retain a testing/investigation contractor to perform physical tests or investigations of structural components that cannot be suitably evaluated by other methods.
- 3.2.2.5 Risk level assignments shall be substantive in manner, consistent with the criteria, objective, and based on sound engineering judgments.

General Project Management:

- 3.2.3 The Engineer will provide:
- 3.2.3.1 Sufficient personnel to carry out investigations in accordance with the approved schedule. The Supervising Structural Engineer and the Consulting Engineers Group will develop the project schedule immediately after the initial screening workshop.
- 3.2.3.2 Participation in the entire initial screening workshop, by the Principal engineer. Supervision by the Principal engineer of project engineers performing detailed individual building evaluations.
- 3.2.3.3 Project engineer participation in weekly or bi-weekly project coordination conference calls and occasional meetings.
- 3.2.4 Regular status reports and communications in an acceptable electronic manner throughout the detailed evaluation stage.
- 3.2.5 The Engineer may be required to defend the findings on individual buildings in property transfer negotiations with effected counties. This service will be authorized on a case-by-case basis by the AOC.

Miscellaneous:

- 3.2.6 The Engineer will be required to become thoroughly familiar with the information about the assigned court buildings, contained in the report of the Task Force on Court Facilities 2000-2001 (which will be made available by the AOC).
- 3.2.7 The Engineers will be required to travel to the sites of the assigned court buildings.
- 3.2.8 The AOC will provide meeting facilities at our offices in San Francisco for the workshop and other meetings.
- 3.2.9 The AOC will provide existing building documents, structural evaluations and local geological information to the extent available.

4.0 SPECIFICS OF A RESPONSIVE PROPOSAL

The following information shall be included in the proposal using the AOC Form 001-01 and 002-01, and additional pages, if necessary.

- 4.1 Name, address, e-mail address, telephone, fax numbers, and California Structural Engineer license number for the Principal and Project engineers.
- 4.2 Four (4) copies of the proposal signed by an authorized representative of the Structural Engineering firm including name, title, address, and telephone number of one individual who is the responder's designated representative.
- 4.3 Resumes or project lists describing the background and experience of key staff, as well as each individual's ability and experience in conducting the proposed activities, limit 3 pages for each engineer. Include recent publications and award citations of the Principal engineer related to seismic evaluations and strengthening.
- 4.4 Description of innovative solutions by the proposed engineer to unique or complex seismic strengthening problems. Description of experience of the firm with renovation and structural improvement of Courthouses and/or historic buildings.
- 4.5 Description of key staff's knowledge of FEMA 310 and DGS risk acceptability standards. Description of experience with seismic assessment programs of multiple buildings for large institutional owners and public agencies.
- 4.6 Description of the proposed project team organization, including levels of involvement (a commitment of hours per month) for the principal engineer and project engineer. Description of sub-consultants and their responsibilities.
- 4.7 Description of data collection and engineering analysis methods for the detailed evaluation phase.
- 4.8 Names, addresses, e-mail addresses, and telephone numbers of a minimum of five (5) clients for whom the consultant has conducted similar services. The AOC may check references listed by the consultant.

4.9 Responsive proposals should provide straightforward, concise information that satisfies the requirements noted above. Elaborate brochures are not necessary or desired. Emphasis should be placed on brevity, conformity to the state's instructions, requirements of this RFQ, and completeness and clarity of content.

5.0 RIGHTS

The AOC reserves the right to reject any and all proposals, in whole or in part, as well as the right to issue similar RFQs in the future. This RFQ is in no way an agreement, obligation, or contract and in no way is the AOC or the State of California or the Master Planner responsible for the cost of preparing the proposal. One copy of a submitted proposal will be retained for official files and becomes a public record.

Only written responses will be accepted. Responses should be sent by registered or certified mail or by hand delivery.

6.0 PROJECT MANAGEMENT

The Project Manager for this RFQ process is:

Clifford W. Ham, AIA
Administrative Office of the Courts
Office of Capital Planning, Design & Construction
455 Golden Gate Avenue
San Francisco, CA 94102-3660
(415) 865-7550
(415) 865-7524
clifford.ham@jud.ca.gov

7.0 EVALUATION OF PROPOSALS

Proposals will be evaluated by the AOC using the following method:

<u>Points</u>	<u>Criteria</u>
30	Knowledge and experience of the Principal Engineer. Leadership and recognition of the firm within the structural engineering community.
15	Experience in working collaboratively with other structural engineers.
20	Credentials of Project Engineers to be assigned to the project and their experience with a range of building/construction types.
15	Analytical and computational capacity of the firm and ability to meet the schedule for detailed evaluations.
20	Availability of resources, especially the Project Engineers to accomplish detailed evaluations in a scheduled timeframe.

8.0 ADDITIONAL REQUIREMENTS

A telephone conference call will be held to clarify the requirements of this RFQ.

Date: November 14, 2002

Time: 9:30 a.m.

Call-in phone number: 415-396-9613 (in SF)
800-644-1484 (outside SF)

The AOC will summarize the questions and answers of the conference call. These notes will be sent electronically to all participants or issued as an addendum (see item D in Attachment A).

It may be necessary to interview prospective service providers to clarify aspects of their submittal. The AOC will notify prospective service providers regarding the interview arrangements.

9.0 PROPOSED CONTRACT TERMS AND ADMINISTRATIVE RULES

The AOC anticipates that firms, which meet qualifications of this RFP, may be awarded contracts by the seven (7) Master Planners, pursuant to the terms and conditions of existing Master Agreements with the AOC. These Master Agreements may be reviewed at the AOC upon request. In addition to the terms and conditions of the Master Agreements, the proposer, if awarded a contract, will be required to demonstrate professional liability errors and omissions insurance coverage.

Incorporated in this RFQ, and attached as Attachment A, is a document entitled “Administrative Rules Governing Requests for Proposals. Consultants shall follow these rules in preparation of their proposals.

**JUDICIAL COUNCIL OF CALIFORNIA
ADMINISTRATIVE OFFICE OF THE COURTS**

ADMINISTRATIVE RULES GOVERNING REQUESTS FOR PROPOSALS

A. General

1. This solicitation document, the evaluation of proposals, and the award of any contract shall conform with current competitive bidding procedures as they relate to the procurement of goods and services. A vendor's proposal is an irrevocable offer for 30 days following the deadline for its submission.
2. In addition to explaining the State's requirements, the solicitation document includes instructions, which prescribe the format and content of proposals.

B. Errors in the solicitation document

1. If a vendor submitting a proposal discovers any ambiguity, conflict, discrepancy, omission, or other error in this solicitation document, the vendor shall immediately provide the State with written notice of the problem and request that the solicitation document be clarified or modified. Without disclosing the source of the request, the State may modify the solicitation document prior to the date fixed for submission of proposals by issuing an addendum to all vendors to whom the solicitation document was sent.
2. If prior to the date fixed for submission of proposals a vendor submitting a proposal knows of or should have known of an error in the solicitation document but fails to notify the State of the error, the vendor shall propose at its own risk, and if the vendor is awarded the contract, it shall not be entitled to additional compensation or time by reason of the error or its later correction.

C. Questions regarding the solicitation document

1. If a vendor's question relates to a proprietary aspect of its proposal and the question would expose proprietary information if disclosed to competitors, the vendor may submit the question in writing, conspicuously marking it as "CONFIDENTIAL." With the question, the vendor must submit a statement explaining why the question is sensitive. If the State concurs that the disclosure of the question or answer would expose proprietary information, the question will be answered, and both the question and answer will be kept in confidence. If the State does not concur regarding the proprietary nature of the question, the question will not be answered in this manner and the vendor will be notified.
2. If a vendor submitting a proposal believes that one or more of the solicitation document's requirements is onerous or unfair, or that it unnecessarily precludes

less costly or alternative solutions, the vendor may submit a written request that the solicitation document be changed. The request must set forth the recommended change and vendor's reasons for proposing the change. Any such request must be submitted to **Clifford Ham** at the Administrative Office of the Courts by **11:00 a.m. on November 14, 2002.**

D. Addenda

1. The State may modify the solicitation document prior to the date fixed for submission of proposals by faxing an addendum to the vendors to whom the solicitation document was sent. If any vendor determines that an addendum unnecessarily restricts its ability to proposal, it must notify **Clifford Ham** at the Administrative Office of the Courts no later than one day following the receipt of the addendum.

E. Withdrawal and resubmission/modification of proposals

1. A vendor may withdraw its proposal at any time prior to the deadline for submitting proposals by notifying the State in writing of its withdrawal. The vendor must sign the notice. The vendor may thereafter submit a new or modified proposal, provided that it is received at the Administrative Office of the Courts no later than 5:00 PM and November 25, 2002. Modification offered in any other manner, oral or written, will not be considered. Proposals cannot be changed or withdrawn after 5:00 PM and November 25, 2002.

F. Evaluation process

1. An evaluation team will review in detail all proposals that are received to determine the extent to which they comply with solicitation document requirements.
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 cause a proposal to be rejected.
3. Proposals that contain false or misleading statements may be rejected if in the State's opinion the information was intended to mislead the state regarding a requirement of the solicitation document.
4. During the evaluation process, the State may require a vendor's representative to answer questions with regard to the vendor's proposal. Failure of a vendor to demonstrate that the claims made in its proposal are in fact true may be sufficient cause for deeming a proposal non-responsive.

G. Rejection of proposals

1. The State may reject any or all proposals and may or may not waive an immaterial deviation or defect in a proposal. The State's waiver of an immaterial deviation or defect shall in no way modify the solicitation document or excuse a vendor from full compliance with solicitation document specifications. The AOC reserves the right to accept or reject any or all of the items in the proposal.

H. Award of contract

1. Award of contract, if made, will be in accordance with the solicitation document to a responsible vendor submitting a proposal compliant with all the requirements of the solicitation document and any addenda thereto, except for such immaterial defects as may be waived by the State. Award, if any, will be made by the seven individual Master Planners, not the AOC. The AOC is managing the solicitation process to determine a list of proposers which demonstrate the qualifications and other requirements, as set forth in this RFQ.
2. The State reserves the right to determine the suitability of proposals for contracts on the basis of a proposal's meeting administrative requirements, technical requirements, its assessment of the quality of service and performance of items proposed.
3. If awarded this project, the proposer will not be eligible for award of any contract let under the RFQ for the Courthouse Seismic Assessment Program – Supervising Structural Engineer.

I. Decision

1. Questions regarding the State's award of any business on the basis of proposals submitted in response to this solicitation document, or on any related matter, should be addressed to Clifford Ham, Administrative Office of the Courts, Office of Capital Planning, Design, and Construction, 455 Golden Gate Avenue, San Francisco, CA 94102-3660.

J. Execution of contracts

2. The AOC anticipates that each Master Planner will make a reasonable effort to execute any contract, pursuant to the terms and conditions of its Master Agreement and this solicitation document, within 30 days of selecting a proposal that best meets its requirements.

K. Disposition of materials

1. All materials submitted in response to this solicitation document will become the property of the State of California and will be returned only at the State's option and at the expense of the vendor submitting the proposal. One copy of a submitted proposal will be retained for official files and become a public record. However, any confidential material submitted by a vendor that was clearly marked as such will be returned upon request.

N. Payment

1. Payment terms will be specified in any agreement that may ensue as a result of this solicitation document.