

REVISED



Judicial Council of California

ADMINISTRATIVE OFFICE OF THE COURTS

FINANCE DIVISION

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TO: POTENTIAL PROPOSERS

FROM: Administrative Office of the Courts
Finance Division

DATE: **September 18, 2008**

SUBJECT/PURPOSE OF MEMO: REQUEST FOR PROPOSALS
Proposals to provide ergonomic evaluation services.

ACTION REQUIRED: You are invited to review and respond to the attached Request for Proposals (“RFP”):

Project Title: ERGONOMIC EVALUATION SERVICES
RFP Number: HR-200808-RB

PROPOSAL DUE DATE: Proposals must be received by 1 p.m. on **October 16, 2008**

SUBMISSION OF PROPOSAL: Proposals must be sent to:
Judicial Council of California
Administrative Office of the Courts
Attn: Nadine McFadden, HR-200808-RB
455 Golden Gate Avenue
San Francisco, CA 94102

FOR FURTHER INFORMATION: E-MAIL:
Solicitations@jud.ca.gov

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1.0 GENERAL INFORMATION

1.1 Background

The Judicial Council of California, chaired by the Chief Justice of California, is the chief policy making agency 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 the 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 Administrative Office of the Courts' (AOC) Ergonomics Program

The mission of the Administrative Office of the Courts' (AOC) Ergonomics Program is to reduce the number of repetitive stress injuries suffered by employees, to reduce Workers' Compensation costs, and to foster good health, self-awareness, and development of practical knowledge in ergonomics. This program is introduced to employees as part of their New Employee Orientation. Evaluations are available to employees who feel their work stations are not setup to comfortably meet their needs. We work with trained ergonomic consultants who are familiar with our work environment as well as our current budget constraints. Whenever possible, a situation will be remedied by making adjustments to or re-arranging existing equipment with consideration given to cost containment issues.

2.0 PURPOSE OF THIS RFP

The AOC seeks a qualified service provider to perform ergonomic evaluations, as needed, for current employees, new hires, workstation changes, and follow-up evaluations. This RFP is the means for prospective service providers to submit their qualifications to the AOC and request selection as a service provider. Due to the geographic locations where assessments are needed, the AOC may elect to enter into one contract with one service provider for the Northern California offices in Sacramento or San Francisco, one contract with one service provider for the Southern California office in Burbank, or one contract with one service provider for both Northern and Southern California offices. Proposals for providing services in Northern California will be evaluated separately from the proposals for providing services in Southern California. Please see section 8.0 regarding evaluation of proposals.

3.0 RFP SCHEDULE AND GENERAL INSTRUCTIONS

3.1 The AOC has developed the following list of key events from RFP issuance through notice of contract award. All key dates are subject to change at the AOC’s discretion.

Event	Date
Issue RFP	September 18, 2008
Deadline for Proposer Requests for Clarifications or Modifications	October 2, 2008
AOC Posts Clarification/Modification Response (estimated)	October 9, 2008
Proposal Due and Time	October 16, 2008 3:00 p.m.
Notice of Intent to Award (estimated)	October 30, 2008
Execution of Contract (estimated)	November 12, 2008
Notice of Contract Award (estimated)	November 14, 2008
Commencement of contracted services (estimated)	December 1, 2008

3.2 The RFP and any addenda that may be issued will be available on the following website:

<http://www.courtinfo.ca.gov/reference/rfp/> (“Courtinfo website”)

3.3 Proposal Submittal Address:

Nadine McFadden
RFP# HR-200808-RB
Judicial Council of California
Administrative Office of the Courts
455 Golden Gate Avenue, 7th Floor
San Francisco, CA 94102-3688

3.4 Request for Clarifications or Modifications

3.4.1 Proposers interested in responding to the solicitation may submit questions by e-mail only on procedural matters related to the RFP or requests for clarification or modification of this solicitation document, including questions regarding the Terms and Conditions in Attachment B, to the Solicitations mailbox referenced below. If the proposer is requesting a

change, the request must set forth the recommended change and the proposer's reasons for proposing the change.

Solicitations mailbox: solicitations@jud.ca.gov

- 3.4.2 All questions and requests for clarification or modification must be submitted by email to the Solicitations mailbox by no later than the date and time specified in the RFP Schedule in Section 3.1, above. Questions or requests submitted after the due date will not be answered.
- 3.4.3 All email submissions sent to the Solicitations mailbox **MUST** contain the RFP number and other appropriate identifying information in the email subject line. In the body of the e-mail, always include paragraph numbers whenever references are made to content of this RFP. Failure to include the RFP number as well as other sufficient identifying information in the email subject line may result in the AOC taking no action on a proposer's email submission.
- 3.4.4 Without disclosing the source of the question or request, the AOC Contracting Officer will post a copy of the questions and the AOC's responses on the Courtinfo website.
- 3.4.5 If a proposer's question relates to a proprietary aspect of its proposal and the question would expose proprietary information if disclosed to competitors, the proposer may submit the question in writing, conspicuously marking it as "CONFIDENTIAL." With the question, the proposer must submit a statement explaining why the question is sensitive. If the AOC 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 AOC does not concur regarding the proprietary nature of the question, the question will not be answered in this manner and the proposer will be notified.

4.0 RFP ATTACHMENTS

4.1 The following documents are incorporated into this Request For Proposals (RFP) by reference:

- Attachment A - Administrative Rules Governing Request For Proposals
- Attachment B - Terms and Conditions
- Attachment C - Contract Exceptions
- Attachment D - Pricing Form
- Attachment E - Payee Data Record

4.2 Attachment A, Administrative Rules Governing Request for Proposals. Proposers shall follow the rules, set forth in Attachment A, in preparation of their proposals.

4.3 Attachment B, Terms and Conditions. Contracts with successful firms will be signed by the parties on a State of California Standard Agreement form and will include terms appropriate for this project. Terms and conditions typical for the requested services are attached as Attachment B and include the following provisions:

- Exhibit A, Standard Provisions.
- Exhibit B, Special Provisions.
- Exhibit C, Payment Provisions.
- Exhibit D, Work To Be Performed.
- Exhibit E, Contractor's Key Staff. (To Be Determined)

4.4 Attachment C, Contract Exceptions. Proposers must either indicate acceptance of the Agreement Terms, as set forth in Attachment B, or clearly identify exceptions with a written summary of relevance and rationale to substantiate each proposed change.

4.5 Attachment D, Pricing Form. Proposers must propose unit pricing and fees necessary to accomplish the work requirements of the eventual agreement. It is expected that all proposers responding to this RFP will offer the proposer's government or comparable favorable rates.

4.6 Attachment E, Payee Data Record Form. The AOC is required to obtain and keep on file, a completed Payee Data Record for each vendor prior to entering into a contract with that vendor. Therefore, proposer's proposal must include a completed and signed Payee Data Record Form, set forth as Attachment E.

5.0 SCOPE OF SERVICES

5.1 Services are estimated to be performed by the consultant between December 1, 2008 (estimated) thru June 30, 2009, with possible options to renew for up to two consecutive 1-year options. The AOC will have the sole discretion to exercise any such option pursuant to the terms and conditions of the executed agreement.

5.2 Upon receiving a Work Authorization from the AOC Project Manager, services will be provided to AOC employees located at the applicable regional offices of the Judicial Council of California, Administrative Office of the Courts. Please see Exhibit D, Work To Be Performed, located in Attachment B, Terms and Conditions, for the description of the Work Authorization process. The AOC employs approximately 886 employees. The majority of the staff work during normal business hours of 8 am to 5 pm, Monday through Friday. Most have desk jobs and are available for ergonomic evaluations during normal business hours.

5.3 The AOC Project Manager will coordinate the appointment. Appointments are usually scheduled on a Thursday, and if there are multiple assessments needed in the same facility, the AOC Project Manager will make best efforts to schedule the appointments back-to-back.

5.4 The AOC's offices where ergonomic services may be needed are located at the following worksites:

- Bay Area Regional Office
455 Golden Gate Avenue, San Francisco, CA 94102

- Northern Regional Office
2880 Gateway Oaks Drive, Suite 300, Sacramento, CA 95833
2860 Gateway Oaks Drive, Suite 400, Sacramento, CA 95833
2850 Gateway Oaks Drive, Suite 300, Sacramento, CA 95833

- Southern Regional Office
2255 North Ontario St., Suite 200, Burbank, CA 91504

5.5 Scheduling Requirements

- 5.5.1 The contractor must be available to perform assessments or follow-up assessments on Thursdays (or other days if mutually agreed upon) within two-weeks from the date requested by the AOC Project Manager.

- 5.5.2 The contractor must complete its written ergonomic report and provide it to the AOC within two weeks of completing the assessment or follow-up assessment.

5.6 Assessment and Report Requirements – The awarded contractor must be able to perform the following assessment and reporting activities:

- 5.6.1 Perform an on-site evaluation or follow-up evaluation taking into consideration the employee's workstation configuration, job tasks, and employee's posture and movement patterns at the workstation, and other criteria.

- 5.6.2 Provide one-on-one consultation to the employee on proper posture, ergonomic best practices, and ergonomic risk factors including tips, exercises, and behavior modification to prevent and/or reduce further injury or reduce pain.

- 5.6.3 Written reports must be provided in hard copy and electronically in a Word format. The written reports must include:
 - i. Work Authorization Number
 - ii. Date of evaluation
 - iii. Name of the individual being evaluated
 - iv. Building address and workstation address

- v. Description of current workstation configuration
- vi. Information on observations and discussions with the person being evaluated, including if any, metrics, risk factors chart, pain and discomfort levels.
- vii. Findings and recommendations, including the most cost effective product recommendations and/or specifications, adjustments and suggestions for improving workstation efficiency and safety, and work habit corrections.
- viii. Photographs of workstation, before and, if applicable, after workstation modifications.
- ix. Hard copy reports must be signed by the evaluator.

6.0 SPECIFICS OF A RESPONSIVE TECHNICAL PROPOSAL

- 6.1 A responsive proposal to provide services in Northern California will include responses to paragraphs 6.3 through 6.11 below.
- 6.2 A responsive proposal to provide services in Southern California will include responses to paragraphs 6.3 **through** 6.5 **and** 6.12 through 6.18 below.
- 6.3 The proposer must provide a brief history of your company including:
- 6.3.1 A description of your organization's services and capabilities
 - 6.3.2 A statement referencing when you/your firm began providing ergonomic evaluations.
 - 6.3.3 A statement referencing any awards or industry recognition you/your company has received.
 - 6.3.4 A statement referencing the number of ergonomic evaluations completed in the past year and the approximate percentage specifically related to workstation analysis and recommendations.

6.4 Provide three (3) redacted samples of assessments similar to those required in this RFP in the following manner:

- 6.4.1 The samples must be redacted to remove any and all references to the person being evaluated, and the company name where the person being evaluated worked.**
- 6.4.2 On a separate sheet of paper, include a short synopsis describing the need or the reason for the evaluation as well as the thought behind the proposed cost efficient solution(s).**

6.4.5 If samples or any part of your proposal are proprietary, confidential, or copyrighted, your proposal must clearly identify the parts so affected and you must include a release statement to permit the AOC to use the samples and proposal for evaluation purposes. Also, in regards to disclosure under the California Public Records Act, please see Section 12.0 below and Section J of Attachment A, Administrative Rules Governing Requests For Proposals, entitled Disposition of Materials.

Please respond to paragraphs 6.6 through 6.11 only if you are proposing to provide services in Northern California (Sacramento and San Francisco facilities). Responses must be numbered in sequence with each paragraph.

- ~~6.56.6~~ The proposer must clearly state that it is submitting a proposal to provide services in Northern California.
- ~~6.66.7~~ The proposer must submit a work plan which includes:
- ~~6.6.16.7.1~~ A synopsis of how it would meet or comply with the specifications in Section 5.0, Scope of Services, above.
 - ~~6.6.26.7.2~~ A description of how problems are resolved.
 - ~~6.6.36.7.3~~ A description of the ergonomic tools and/or techniques used in its evaluations.
- ~~6.76.8~~ Provide resumes describing:
- ~~6.7.16.8.1~~ Education and work history of the key staff persons who will perform the evaluations,
 - ~~6.7.26.8.2~~ Their basic knowledge of biological, psychological and engineering sciences, and
 - ~~6.7.36.8.3~~ Their ability and experience in performing the proposed activities.
- ~~6.86.9~~ Proposers must provide a copy of its CPE (Certified Professional Ergonomist) or CEA (Certified Ergonomics Associate) from the Board of Certification in Professional Ergonomics (BCPE), or equivalent in a related field
- ~~6.96.10~~ Provide Northern California references with names, addresses, email address and telephone numbers of five (5) clients for whom the proposer's key staff has conducted similar services. The AOC may check references listed by the proposer in our assessment of proposer's timeliness, accuracy, and reliability of reports and advice.
- ~~6.10~~ Provide three (3) redacted samples of assessments similar to those required in this RFP in the following manner:
- ~~6.10.1~~ The samples must be redacted to remove any and all references to the person being evaluated, and the company name where the person being evaluated worked.
 - ~~6.10.2~~ On a separate sheet of paper, include a short synopsis describing the need or the reason for the evaluation as well as the thought behind the proposed cost efficient solution(s).
- 6.11 Describe any technology features your firm uses and the benefits to the AOC and/or person being evaluated.

Please respond to paragraphs 6.12 through 6.18 only if you are proposing to provide services in Southern California (Burbank facility). Responses must be numbered in sequence with each paragraph.

6.12 The proposer must clearly state that it is submitting a proposal to provide services in Southern California.

~~6.13 The proposer must provide a brief history of your company including:~~

~~6.13.1 A description of your organization's services and capabilities~~

~~6.13.2 A statement referencing when you/your firm began providing ergonomic evaluations.~~

~~6.13.3 A statement referencing any awards or industry recognition you/your company has received.~~

~~6.13.4 A statement referencing the number of ergonomic evaluations completed in the past year and the approximate percentage specifically related to workstation analysis and recommendations.~~

~~6.14.6.13~~ The proposer must submit a work plan which includes:

~~6.14.16.13.1~~ A synopsis of how it would meet or comply with the specifications in Section 5.0, Scope of Services, above.

~~6.14.26.13.2~~ A description of how problems are resolved.

~~6.14.36.13.3~~ A description of the ergonomic tools and/or techniques used in its evaluations.

~~6.15.6.14~~ Provide resumes describing:

~~6.15.16.14.1~~ Education and work history of the key staff persons who will perform the evaluations,

~~6.15.26.14.2~~ Their basic knowledge of biological, psychological and engineering sciences, and

~~6.15.36.14.3~~ Their ability and experience in performing the proposed activities.

~~6.16.6.15~~ Proposers must provide a copy of its CPE (Certified Professional Ergonomist) or CEA (Certified Ergonomics Associate) from the Board of Certification in Professional Ergonomics (BCPE), or equivalent in a related field

~~6.17.6.16~~ Provide Southern California references with names, addresses, email address and telephone numbers of five (5) clients for whom the proposer's key staff has conducted similar services. The AOC may check references listed by the proposer in our assessment of proposer's timeliness, accuracy, and reliability of reports and advice.

~~6.18.6.17~~ Provide three (3) redacted samples of assessments similar to those required in this RFP in the following manner:

~~6.18.16.17.1~~ The samples must be redacted to remove any and all references to the person being evaluated, and the company name where the person being evaluated worked.

~~6.18-26.17.2~~ On a separate sheet of paper, include a short synopsis describing the need or the reason for the evaluation as well as the thought behind the proposed cost efficient solution(s).

~~6.19~~6.18 Describe any technology features your firm uses and the benefits to the AOC and/or person being evaluated.

7.0 SPECIFICS OF A RESPONSIVE COST/FEE PROPOSAL

7.1 Proposers must submit their pricing using Attachment D, Pricing Form.

8.0 EVALUATION OF PROPOSALS

The total available score will be 100 points for Northern California proposals and 100 points for Southern California. The AOC will evaluate proposals to provide services in Northern California separately from proposals to provide services in Southern California using the criteria in paragraphs 8.1 through 8.7.1 below, with the maximum point value for each category.

8.1 Company stability and capabilities (20 Points) – **This information will be evaluated once. If your firm is submitting a proposal for both Northern California and Southern California, the evaluated score will be same for both.**

8.2 Quality of work plan submitted including: (15 Points)

8.2.1 The proposers clear and well defined methodologies for accomplishing the services specified in section 5.0, above.

8.2.2 The steps taken when problems arise.

8.2.3 Identifying key staff , organization of team, and the roles of each member.

8.2.4 Proposers knowledge of ergonomics tools and techniques for performing assessments.

8.3 Credentials of Staff, including: (20 Points)

8.3.1 Resumes of proposers referencing education, training, and other professional credentials that demonstrate they are well qualified as an ergonomist.

8.3.2 Proposers basic knowledge of biological, psychological and engineering science.

8.4 Evaluation of Samples: (15 Points)

- 8.4.1 Thoroughness of reports balanced with cost efficient recommendations as demonstrated in the redacted sample reports (see paragraphs 6.10 and/or 6.17)

8.5 Reasonableness of cost/fee proposal. (20 Points)**8.6 References: (5 Points)**

- 8.6.1 References to prior engagements to support proposer's ability to provide services described in this RFP.
- 8.6.2 Demonstrated ability to be confident in offering precise, accurate, reliable and valid advice to clients; ability to work well with people at all levels, and good communication skills.
- 8.6.3 Demonstrated ability to complete assessments and reports within the specified timeframes.

8.7 Technology: (5 Points)

- 8.7.1 Demonstrated benefits through the use of technology.

9.0 SUBMISSION OF PROPOSALS

- 9.1 The proposer must prepare a cover letter on the prime proposer's business letterhead to accompany the proposal. The purpose of this letter is to transmit the proposal; therefore, it should be brief. The letter must be signed by an individual who is authorized to bind his or her firm to all statements, including services and prices, contained in the proposal. The cover letter must state who the proposed prime contractor is, name the proposed subcontractors, and provide proposer's point of contact, including name, physical and electronic addresses, and telephone and facsimile numbers.
- 9.2 Responsive proposals should provide straight-forward, concise information that satisfies the requirements noted in section 6.0, Specifics of a Responsive Technical Proposal, and section 7.0, Specifics of a Responsive Cost/Fee Proposal. Expensive bindings, color displays, and the like are not necessary or desired. Emphasis should be placed on conformity to the state's instructions, requirements of this RFP, and completeness and clarity of content.

9.3 Proposals must be delivered by the Proposal Due Date to the individual listed in the Submission of Proposals section of the coversheet to this RFP and must include the following:

- 9.3.1 One (1) original hard copy of the entire proposal.
- 9.3.2 Four (4) duplicate hard copies of the entire proposal.
- 9.3.3 One (1) electronic copy of the entire proposal in MS Word compatible format on a CD-ROM.

9.4 Only written proposals, accompanied by the CD-ROM submittal, will be accepted.

10.0 RIGHTS

10.1 The AOC reserves the right to reject any and all proposals, in whole or in part, as well as the right to issue similar RFPs in the future. This RFP is in no way an agreement, obligation, or contract and in no way is the AOC or the State of California 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.

10.2 The AOC reserves the right to award more than one contract pursuant to this RFP.

10.3 The AOC does not guarantee that a proposer will receive a specific volume of work, a specific total contract amount, or a specific order value under any agreement executed pursuant to this RFP.

11.0 ADDITIONAL REQUIREMENTS

After proposal submission, it may be necessary to interview prospective service providers to clarify aspects of their submittal. If needed, the AOC will notify prospective providers to set up an interview.

12.0 CONFIDENTIAL OR PROPRIETARY INFORMATION

The Administrative Office of the Courts' policy is to follow the intent of the California Public Records Act (PRA). If a proposal contains material noted or marked as confidential and/or proprietary that, in the AOC's sole opinion, meets the disclosure exemption requirements of the PRA, then that information will not be disclosed pursuant to a request for public documents. If the AOC does not consider such material to be exempt from disclosure under the PRA, the material will be made available to the public, regardless of the notation or markings. If a proposer is unsure if its confidential and/or proprietary material meets the disclosure exemption requirements of the PRA, then the proposer should not include such information in its proposal.