



Request for Proposals (RFP) for ID/IQ Real Estate Brokerage Services

Addendum No. 1 updates RFP Section

*7.2, Procurement Schedule, extending
the due date for submission of proposals
to Wednesday, December 2nd, 2020 by*

3:00 pm Pacific Time.

The Judicial Council of California seeks to identify a number of firms qualified to provide real estate brokerage services between January 8, 2021 and January 7, 2026 with possible extensions to January 7, 2028.

PROPOSALS DUE: *DECEMBER 2ND, 2020*

NO LATER THAN 3:00 PM PACIFIC TIME *[Revised]*

RFP NUMBER: FS-2020-07-RL

RFP No.: FS-2020-07-RL
RFP Title: ID/IQ Real Estate Broker Services

Date

December 1st, 2020 [Revised]

Action Requested

Submit Proposal

To

Real Estate Brokerage Firms

Deadline

December 2nd, 2020 [Revised]

From

Judicial Council of California

Contact

solicitations@jud.ca.gov

Project Title

RFP Number: FS-2020-07-RL
ID/IQ Real Estate Brokerage Services

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- Attachment C. Qualification Questionnaire Form
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1. INTRODUCTION

- 1.1 The judicial branch of California is a part of the California government, independent from the executive and legislative branches, and includes the Superior and Appellate Courts of California, including the Supreme Court. A part of the judicial branch is the Judicial Council, chaired by the Chief Justice of California. The Judicial Council is the primary policy making body of the California judicial system. The Judicial Council of California (“**Judicial Council**”) is the staff agency of the Judicial Council. Facilities Services is the office within the Judicial Council responsible for the planning, design, construction, and real estate and asset management of facilities for the state court system.
- 1.2 Pursuant to the Trial Court Facilities Act of 2002 (SB 1732), ownership of and responsibility for most superior court facilities in California shifted from the counties to the State. As a result, the Judicial Council currently occupies over 450 facilities throughout the State on behalf of the Superior and Appellate Courts as well as itself—including owned, leased, and shared buildings—and also has multiple capital projects underway for the construction of several new court facilities. Facilities Services accordingly has various, on-going needs for the real estate services requested by this RFP.

2. PURPOSE OF THIS RFP

- 2.1 **Consultants.** Judicial Council seeks proposals from firms to provide the services of qualified, properly licensed consultants with expertise in all phases of the acquisition, disposition, and leasing of public buildings (“**Proposal(s)**”). It is anticipated that selected firms will assist with site searches/selections, listing and selling vacated court facilities, negotiating and leasing short- and long-term rentable spaces, and other miscellaneous broker services related thereto. Prospective firms for the purpose of this RFP will be referred to as “**Consultants.**”
- 2.2 **ID/IQ Contracts.** Multiple Consultants will be selected to enter into Indefinite Delivery/Indefinite Quantity (“**ID/IQ**”) contracts with the Judicial Council for real estate brokerage services, or for the provision of the services they propose upon. Those Consultants may be assigned various projects and tasks, as may arise, based on the location and nature of the services required and the qualifications and resources of the Consultants (“**Project(s)**”). Because the scope and number of Projects and tasks are unknown at the time of contract execution, the contracts are known as ID/IQ contracts. The initial term of the ID/IQ contracts for these Projects will be for five (5) years. It is anticipated that ID/IQ contracts will be issued for at least three (3) to six (6) Consultants for each of the service regions identified below.
 - 2.2.1 Posted with this RFP is the Judicial Council’s form of Standard Agreement which the Judicial Council will utilize for the requested services, including the indemnification provision that the Judicial Council will include in that agreement. In accordance with the Judicial Council’s Administrative Rules Governing

Requests for Proposals, attached hereto and incorporated herein as **Attachment A**, please indicate in Consultant's Proposal if it has any comments or objections to the form of agreement.

PLEASE NOTE: the Judicial Council reserves the right in its sole discretion to reject any proposed changes or modifications to the form of Standard Agreement, and does not intend to consider any substantive changes to the form of Standard Agreement unless they are submitted with the Consultant's Proposal pursuant to the instructions in this RFP; in the event that a Consultant is awarded a contract under this RFP and refuses to execute that contract unless or without requested changes or modifications thereto, the Judicial Council may revoke said award to the Consultant of the Services under this RFP. See section 4.7.2, Acceptance of Terms and Conditions, of this RFP and section I, Execution of Contracts, of **Attachment A** for further information and direction.

- 2.3 **Service Regions.** Consultants will be evaluated and selected to provide services primarily in one of seven (7) service regions (1 North, 2 North East, 3 West, 4 Central, 5 Southwest, 6 Los Angeles, and/or 7 South); however, Consultants may be requested to provide services in any region throughout the State. A map of the service regions is included in **Attachment B**, Service Regions Form, to this RFP. Consultants should indicate, in their cover letter and as otherwise required by this RFP, the service regions for which they wish to be considered.
- 2.4 **Licensing.** All Consultants, and sub-consultant(s), employees or agents thereof, performing work per agreements awarded under this RFP must have, upon proposing and at all times throughout the duration of their performance of the work, all appropriate, valid license(s) required under law to provide the work being performed. If the possession of any license(s) including, without limitation, a valid California real estate broker license, is required under law for the performance of the work, the Consultant must ensure that the work will be performed either by an appropriately licensed individual or, when legally permissible, under the direct supervision of an appropriately licensed individual.
- 2.5 **Prevailing Wages.** As applicable, all Consultants and sub-consultant(s) shall pay all workers not less than the general prevailing rate of per diem wages and the general prevailing rate for holiday and overtime work as determined by the Director of the Department of Industrial Relations, State of California, for the type of work performed and the locality in which the work is to be performed, pursuant to sections 1770 et seq. of the California Labor Code. Prevailing wage rates are available online at: <http://www.dir.ca.gov>. All Consultants and sub-consultant(s) thereof shall comply with the registration and qualification requirements pursuant to sections 1725.5 and 1771.1 of the California Labor Code when applicable.
- 2.6 **Subsequent Project Proposals.** Consultants may be asked to provide proposals on some Projects ("**Project Proposal(s)**"), but may not be asked to provide Project Proposals on

other Projects or none at all. The Judicial Council, at its sole discretion, may choose to issue work in a round-robin rotation assigning Projects according to each Consultant's qualifications with the intent to issue Projects equally based on prior Project performance. In some cases, more than one Consultant will be asked to provide Project Proposals for the same Project. Selection of a Consultant for a specific Project is at the sole discretion of the Judicial Council. The Judicial Council will award Consultants specific Projects and make efforts to award a fair share of the work to each of the Consultants per service region based on their Project Proposals, specific expertise, knowledge of and involvement with specific transactions and/or facilities, prior performance on this contract, and those other factors that the Judicial Council may deem pertinent for the work.

- 2.7 **Consultant Performance Management.** The Judicial Council may choose to conduct periodic business performance reviews on completed Projects to evaluate the Consultant's performance for quality assurance, duration of the Project, Judicial Council satisfaction, and other relevant factors. The Judicial Council, at its sole discretion, may not offer subsequent Projects to and/or may terminate an agreement with any Consultants who do not meet minimum performance benchmarks specified in their business performance review.
- 2.8 **No Follow-On Contracting.** For any Project that a Consultant is providing consulting services pursuant to an agreement awarded by this RFP, the Consultant is prohibited from also providing construction services, or other services which result from Consultant's work or recommendations, on that same Project under any separate contract or agreement the Consultant may have with the Judicial Council.
- 2.9 **Sole Means.** This RFP is the sole means for prospective Consultants to submit their qualifications to the Judicial Council for real estate brokerage ID/IQ services, as described above.

3. SCOPE OF SERVICES

- 3.1 **Consultant Services.** The scope of services requested under agreements awarded under this RFP generally includes professional consultant services of a real estate broker nature as well as incidental services that members of that profession and those in their employ may logically or justifiably perform, such as site searches/selections, listing and selling vacated court facilities, negotiating and leasing short- and long-term rentable spaces, and other miscellaneous broker services related thereto ("**Services**").
- 3.2 **Additional Services.** Additional Services as required may include the following:
 - 3.2.1 Site Search, Selection, and Acquisition: Provide market research, conduct site searches based on specified criteria, coordinate and conduct site tours for assigned projects, analyze all responses and provide input, scrutinize each property and obtain due diligence data or other pertinent information related to

the property and surrounding areas, assist in negotiations for property acquisition, provide cost benefit analysis, and attend meetings as necessary.

- 3.2.2 Sales and Dispositions: Conduct market research, provide Broker Opinion of Values, and represent the Judicial Council in the listing and sale or disposition of vacated court facilities.
- 3.2.3 Leasing: Conduct market research; issue and respond to requests for proposals and letters of intent; obtain information on operating expenses and provide comprehensive financial analysis; obtain due diligence data; and assist with negotiations on assigned projects for new leases, lease amendments, purchase options, and any other lease-related real estate function that may be deemed necessary by the Judicial Council.
- 3.2.4 Advertising: Prepare and place advertisements for assigned projects in accordance with the Judicial Council's needs, policies, and recommendations.
- 3.2.5 Miscellaneous Broker Services: Provide specialized analysis, ad hoc reports, maps, Broker Opinion of Value, market reports, and other real estate data or services on an as-needed basis.

4. RESPONDING TO THIS RFP

- 4.1 Responsive Proposals will provide straightforward, concise information that satisfies all requirements specified. Please only submit documentation which has been specified in this RFP. Materials sent which fall outside of that specified within this RFP may not be considered in proposal scoring.
- 4.2 Consultants who intend to respond to this RFP are requested to notify Branch Accounting and Procurement by sending an email to solicitations@jud.ca.gov with the RFP title and number in the subject line ("ID/IQ Real Estate Broker Services / FS-2020-07-RL"). Please include the name, address, telephone, fax number, and email address of the Consultant (firm) and contact person. Note, however, that interested parties must check the Judicial Council's Bidders/Solicitation website at <http://www.courts.ca.gov/rfps.htm> for subsequent notices and announcements; the Judicial Council will not address individual parties directly during this RFP's solicitation period.
- 4.3 A pre-proposal conference will not be held by the Judicial Council with regards to this RFP.
- 4.4 **Proposal Submissions.** In light of the COVID-19 public health crisis, Consultants may submit Proposals electronically or in hard copy, in accordance with the instructions in section 7, General Instructions, of this RFP, with electronic submissions being preferred by the Judicial Council.

- 4.4.1 For electronic submissions, all documentation required by this RFP must be submitted in both Adobe PDF format and editable formats where applicable (e.g., Consultant should provide the Cost Proposal in Adobe PDF *and* MS Word formats). All files must be named clearly, and include the Consultant’s name and the title and number of this RFP (“IDIQ Real Estate Broker Services_FS-2020-07-RL”).
- 4.4.2 For hard-copy submissions, Proposals must be submitted in three-ring binders or three-hole soft report covers, consecutively numbered on each page, and printed double-sided. Two (2) complete copies are required. Along with the hard copies, Consultant must also provide a complete electronic copy of the Proposal on a USB flash drive containing all documentation required by this RFP in both Adobe PDF format and editable formats where applicable (e.g., Consultant should provide the Cost Proposal in Adobe PDF *and* MS Word formats); label the flash drive and all files clearly with the Consultant’s name and with the title and number of this RFP (“IDIQ Real Estate Broker Services_FS-2020-07-RL”).
- 4.4.3 For all Proposal submissions, please note that Consultants must include the Cost Proposal separately from the Proposal’s other components. With electronic submissions and on the CD/flash drive required with hard copies, the Cost Proposal should be a separate file, named “2020-FS-07-RL Cost Proposal” with the Consultant’s name. With hard-copy submissions, the Cost Proposal should be in a separate sealed envelope labeled on the outside with the Consultant’s name and “2020-FS-07-RL Cost Proposal.”
- 4.5 **Proposal Format.** Proposals shall be no longer than twenty (20) pages, 8½” x 11” paper, inclusive of résumés, forms, and pictures. All page limits listed below refer to a single printed side (except where specifically stated below). However, Consultants’ Qualification Questionnaires, Attachment Forms, and Cost Proposals are not counted in this page limit.

Proposals should include all of—and be tabbed and numbered according to—the following sections:

- 4.5.1 **Cover Letter (1-page limit):** A cover letter, signed by an authorized representative of your organization, that provides the exact business name under which you propose to conduct business with the Judicial Council, and your address, telephone, fax number, email address, and federal tax identification number. The cover letter shall clearly indicate all service regions you wish to be considered for (1 North, 2 North East, 3 West, 4 Central, 5 Southwest, 6 Los Angeles, and/or 7 South). You may propose for any or all service regions. The cover letter must state that the form of Standard Agreement posted with this RFP is completely acceptable to the Consultant as posted except as otherwise

specifically indicated, pursuant to section 4.7.2, Acceptance of Terms and Conditions, of this RFP.

4.5.2 **Table of Contents:** A table of contents of the material contained in the Proposal should follow the cover letter, which should list the Qualification Questionnaire and Attachment Forms as well.

4.5.3 **Executive Summary:** The executive summary should contain a brief summary of Consultant's qualifications.

4.5.4 **Proposed Personnel/Project Team:**

4.5.4.1 Identify the key personnel that Consultant would assign to the Project(s), including their roles. For each, describe the individual's experience with public entities and identify the ten (10) most recent of those transactions. List license numbers and dates issued. Include an organizational chart indicating all personnel and their positions.

4.5.4.2 Include resumes of key personnel who may be performing the Services for the Judicial Council. Specifically, define the role of each person and outline that person's individual experience and responsibilities. Indicate personnel who will serve as primary contact(s) for the Judicial Council. Indicate Consultant's and personnel's availability to provide the Services.

4.5.5 **Statement of Services:** Prepare a detailed Statement of Services for which Consultant is submitting its Proposal, and briefly demonstrating Consultant's understanding of the Services and work required for the Projects (see section 3, Scope of Services, for reference). Consultant must specifically identify work or services which Consultant is **excluding** from its Statement of Services or which are **not** included or provided by Consultant.

4.5.6 **Consultant Information:**

4.5.6.1 Provide a brief history of Consultant, and, if a joint venture, of each participating entity. Identify legal form, ownership, and senior officials of company(ies). Describe number of years in business and types of business conducted.

4.5.6.2 Provide Consultant's current contact information and email address to send Consultant notifications hereunder.

4.5.6.3 Describe Consultant's philosophy and how Consultant will work with the Judicial Council staff in performing the Services.

- 4.5.6.4 Provide a statement of Consultant's financial resources and insurance coverage. Include a certification of correctness of Consultant's statement of financial resources.
- 4.5.6.5 Provide a statement of ALL claim(s) filed against Consultant in the past five (5) years. Briefly indicate the nature of the claim and the resolution, if any, of the claim(s).
- 4.5.7 **Prior Relevant Experience:**
 - 4.5.7.1 Describe Consultant's experience with commercial and public real estate transactions including public entity practices.
 - 4.5.7.2 Provide a list of ALL California public entities for which Consultant has provided the same or similar Services to in the past seven (7) years. Limit your response to no more than the five (5) most recent public entities. Include the names of the entity, a description of services provided, and the name of the contact person and telephone number at the entity. Also, indicate the Consultant's personnel that performed services for each entity.
- 4.5.8 **Approach to Project Management:** Provide Consultant's philosophy and approach to project and services management.
- 4.5.9 **DVBE Certification:** If Consultant intends to seek the Disabled Veteran Business Enterprise (DVBE) incentive pursuant to section 9 of this RFP, Consultant must provide with its Proposal proof of its DVBE Certification including, without limitation, a copy of Consultant's DVBE certification approval letter, Consultant's Department of General Services (DGS) Supplier ID Number, active dates of Consultant's DVBE Certification, and a signed certification of its status by Consultant's disabled veteran owners and managers.
- 4.5.10 **Additional Data:** Provide additional information about the Consultant as it may relate to Consultant's Proposal. Indicate ongoing commitment to professional education of staff, total number of permanent employees, and any other data that may assist the Judicial Council in understanding Consultant's qualifications and expertise.
- 4.5.11 **Consultant's Current Work Commitments:** Specify the current and projected workload of Consultant and describe Consultant's ability to complete the expected Services as anticipated herein.
- 4.5.12 **Conflicts of Interest:** If applicable, provide a statement of any recent, current, or anticipated contractual obligations that relate in any way to similar work, the Services, or the Judicial Council that may have potential to conflict with

Consultant's ability to provide the Services described herein to the Judicial Council. Consultants cannot submit, propose, bid, contract, sub-contract, consult, or have any other economic interests in a Project to which the Consultant may provide Services. The Consultant selected to provide the Services and any subsidiary, parent, holding company, or affiliate of the selected Consultant may not perform any construction work or submit a bid for the Project.

- 4.5.13 **Delinquent Taxpayer Status (2-page limit):** Provide a written and certified document identifying whether or not the organization of the Consultant (or Consultants if a joint venture) submitting a Proposal is listed on either or both of the following lists; if listed on either or both lists, also provide an explanation.
- State of California Franchise Tax Board's "Top 500 Delinquent Taxpayers" (available at <https://www.ftb.ca.gov/aboutftb/delinquent-taxpayers.shtml>); and/or;
 - California State Board of Equalization's "Top 500 Sales & Use Tax Delinquencies in California" (available at <http://www.boe.ca.gov/sutax/top500.htm>)
- 4.6 **Qualification Questionnaire:** All Consultants submitting a Proposal shall also submit a completed Qualification Questionnaire with its Proposal, the form of which is attached hereto as **Attachment C**.
- 4.6.1 Consultants must update their Qualification Questionnaire if Consultant's status or information changes at any point during this solicitation prior to contract award.
- 4.6.2 A Consultant's Proposal may be deemed nonresponsive if, without limitation, the Consultant's Qualification Questionnaire is not submitted with its Proposal, does not provide all requested information, is not signed under penalty of perjury by an individual who has the authority to bind the Consultant, is not updated as required, or is misleading or inaccurate in any material manner (e.g., financial resources are overstated, previous violations of law are not accurately reported, etc.).
- 4.7 **Attachment Forms.** With its Proposals, Consultants shall complete and provide the following forms. Failure to do so completely and accurately may cause the Consultant's Proposal to be deemed nonresponsive.
- 4.7.1 **Service Regions Form, Attachment B:** Consultants shall clearly indicate on the provided Service Regions Form: (i) the service regions in which, yes, the Consultant does propose to provide some or all of the Services being requested by this RFP; (ii) the service regions in which, no, Consultant does not propose or is unable to provide the Services being requested by this RFP; and (iii) the service regions in which Consultant has performed services substantially similar to those

being requested by this RFP over the past twelve (12) months and the scope of those performed services.

- 4.7.2 **Acceptance of Terms and Conditions Form, Attachment D:** Consultants must check the appropriate box and sign the form. If the Consultant marks the second box indicating it has exceptions to the form of Standard Agreement posted with this RFP that the Judicial Council will utilize for the requested Services, the Consultant must submit (i) a redlined version of the Standard Agreement that implements all proposed changes, and (ii) a written explanation and rationale for each exception and/or proposed change explaining why the change is necessary. An “exception” includes any addition, deletion, or other modification. **PLEASE NOTE:** the Judicial Council reserves the right in its sole discretion to reject any proposed changes or modifications to the form of Standard Agreement, and does not intend to consider any substantive changes to the form of Standard Agreement unless they are submitted with the Consultant’s Proposal pursuant to the instructions in this RFP; in the event that a Consultant is awarded a contract under this RFP and refuses to execute that contract unless or without requested changes or modifications thereto, the Judicial Council may revoke said award to the Consultant of the Services under this RFP.
- 4.7.3 **General Certifications Form, Attachment E.**
- 4.7.4 **Darfur Certification Form, Attachment F.**
- 4.7.5 **Payee Data Record, Attachment G:** A separately printed and signed original Payee Data Record, completed in the exact name of the business entity under which Consultant proposes to do business with the Judicial Council.
- 4.7.6 **Unruh Civil Rights Act & California Fair Employment and Housing Act Certification, Attachment H.**
- 4.7.7 **Iran Contracting Act Certification, Attachment I.**
- 4.8 **Cost Proposal:** Provide the percentage and hourly rates that Consultant proposes to charge for the Services utilizing and in the form of **Attachment J**, Cost Proposal Workbook, to this RFP. Complete all fields and do not change or edit this form. Rates must be fully loaded and include any applicable overhead and profit.

5. SELECTION PROCESS

- 5.1. An evaluation panel composed of predominantly Judicial Council staff will review and score the Proposals, based on the selection criteria given in this RFP.
- 5.2. The Judicial Council will not conduct interviews of any of the Consultants that have been shortlisted or that have otherwise submitted Proposals for this RFP.

- 5.3. A shortlist of at least three (3) to six (6) of the highest scoring Proposals per service region identified in **Attachment B**, in accordance with the criteria set forth in Section 6 below, will be established for the selected Consultants. Judicial Council will post the shortlist on the website publishing this RFP (<http://www.courts.ca.gov/rfps.htm>). The selected Consultants will then be contacted regarding contract execution.
- 5.4. At any time, Judicial Council may contact previous clients and owners to verify the experience and performance of the prospective Consultant, their key personnel, and their sub-consultants.
- 5.5. **Reference Checks.** The Judicial Council will contact up to five (5) references identified in the Consultant References section of the Qualification Questionnaire to conduct a customer satisfaction survey of recently completed transactions . Responding clients will be asked to score the following: Consultant’s quality of work, scheduling practices, project and subconsultant management, working relationships, and paperwork processing. Reference responses will be scored from one (1) – unsatisfactory to five (5) – excellent. Reference evaluation forms will be totaled and be applied as indicated in section 6, Evaluation of Proposals, of this RFP.
- 5.6. **Submission of Questions.** The Judicial Council will answer questions submitted by Consultants pertaining to this RFP. All questions must be submitted by completing **Attachment K**, Form for Submission of Questions. All questions must be submitted to Soliciatations@jud.ca.gov by the date identified in the timeline in section 7.2, Procurement Schedule, of this RFP.

6. EVALUATION OF PROPOSALS

Proposals will be evaluated on the basis of qualifications and hourly rates. The Judicial Council will evaluate and score the submitted Proposal according to the following criteria and with the following weights:

| Points | Criteria | 100 points maximum |
|--------|--|--------------------|
| 10 | 1. Project Team Expertise Project team’s demonstrated experience with commercial and public entity transactions, including roles, individual experience and responsibilities, and demonstrated ability to work with Judicial Council staff in performing the Services. | |
| 20 | 2. Statement of Services Consultant’s demonstrated understanding of the Services required to complete the Projects described in this RFP (see section 3, Scope of Services), and the Services that Consultant is <u>excluding</u> from its Statement of Services. | |

| Points | Criteria | 100 points maximum |
|--------|---|--------------------|
| 10 | 3. Reference Evaluation The Judicial Council will contact five (5) references provided by the Consultant to evaluate previous client satisfaction. See section 5.5, Reference Checks, of this RFP for additional details. | |
| 5 | 4. Consultant Information Consultant’s history, including number of years in business and types of business conducted. | |
| 15 | 5. Consultant’s Prior Relevant Experience Past seven years of relevant experience of the prospective Consultant in commercial and public real estate transactions including public entity practices. | |
| 25 | 6. Cost Proposal Consultant’s Cost Proposal for the Services requested by this RFP, as provided in Attachment J , Cost Proposal Workbook. | |
| 10 | 7. Approach Consultant’s approach towards transactions and project management. | |
| 5 | 8. DVBE Incentive Consultant will receive the DVBE incentive upon certification of its status as a DVBE, pursuant to section 9 of this RFP; note that the DVBE incentive will only be awarded if the Consultant itself is a DVBE. | |

7. GENERAL INSTRUCTIONS

- 7.1 **Submission Format.** In light of the COVID-19 public health crisis, Consultants may submit Proposals electronically or in hard copy, with electronic submissions being preferred by the Judicial Council. See section 4.4, Proposal Submissions, of this RFP for further details.

Regardless of the method used, incomplete proposals may be rejected without review, and **Proposals received after the applicable deadline date and time will be rejected without review.**

- 7.1.1 Proposals being submitted electronically must be sent to the following address; provided, however, that electronic submissions should not be emailed more than five (5) business days in advance of the applicable deadline date:

fs202007rl.proposal@jud.ca.gov

Indicate the RFP number and name of Consultant's organization in the subject line of the email.

- 7.1.2 Proposals being submitted in hard copy may be sent by registered mail, certified mail, using the overnight courier of your choice, or by hand delivery. Hard-copy Proposal submissions must be sent to:

Judicial Council of California
Attn: Ashley Kim, Administrative Specialist
455 Golden Gate Avenue, 6th Floor
San Francisco, CA 94102-3688

Indicate the RFP Number and name of Consultant's organization in the lower-left corner of the outer packaging.

- 7.1.3 If a Proposal is to be submitted by hand, it will only be considered a valid submission if it is received at the reception desk of the Judicial Council on the **6th floor of 455 Golden Gate Avenue, San Francisco, CA 94102** (Hours: 9:00 A.M. to 5:00 P.M., Judicial Council Business Days). Consultants are advised to obtain a handwritten receipt from the Judicial Council receptionist when submitting.
- 7.1.4 The Judicial Council does not issue communications confirming its receipt of Proposals and participants are asked to refrain from such requests. If you require a confirmation, please contact your delivery service.
- 7.1.5 The due date and time for submission of Proposals can be found in the most recent version of the RFP schedule posted to the California Courts' website (<http://www.courts.ca.gov/rfps.htm>) at which this RFP is posted. **Please keep abreast of changes to the RFP schedule by monitoring the website** throughout the duration of the proposal, evaluation, and award processes.

7.2 **Procurement Schedule.** *[Revised]*

- 7.2.1 The Judicial Council has developed the following list of key events from RFP issuance through performance start date. All deadlines are subject to change at the Judicial Council's discretion.

| <i>No.</i> | <i>Event</i> | <i>Key Date</i> |
|------------|--|-------------------------|
| 1 | Issue RFP | October 27, 2020 |
| 2 | Letter of Intent from Consultant to Participate in Pre-Proposal Conference | N/A |

| <i>No.</i> | <i>Event</i> | <i>Key Date</i> |
|------------|---|--|
| 3 | Pre-Proposal Conference | N/A |
| 4 | Deadline for Consultants' Requests for Clarifications, Modifications, or Questions | November 3, 2020 |
| 5 | Clarifications, Modifications, and/or Answers to Questions posted on the Judicial Council Website | November 10, 2020 |
| 6 | <i>PROPOSAL DUE DATE AND TIME</i> | <i>DECEMBER 2ND, 2020 @ 3:00 PM PST [Revised]</i> |
| 7 | Oral Presentations / Interviews (Estimated) | N/A |
| 8 | Notice of Intent to Award (Estimated) | December 18, 2020 |
| 10 | Full Performance Start Date (Estimated) | January 8, 2021 |

8. CONTRACT TERMS

- 8.1 All submitted Proposals shall constitute and be an irrevocable offer by the Consultant that is valid for ninety (90) days following the Proposal due date. In the event a final contract has not been awarded within this ninety (90) day period, the Judicial Council reserves the right to negotiate extensions to this period with Consultants. The Judicial Council may release all offers not selected under this RFP upon issuance of a Notice of Intent to Award.
- 8.2 Contracts with successful firms will be formed according to the Judicial Council Standard Agreement form posted with this RFP. The initial term of this contract will be for five (5) years, beginning January 08, 2021. Two (2) subsequent extensions of one (1)-year each may be offered at the discretion of the Judicial Council. Note that during subsequent terms, if any, rates shall be adjusted based on the California Bureau of Labor Statistics' Consumer Price Index increase for the preceding twelve (12) months prior to the increase becoming effective.
- 8.3 In submitting a Proposal under this RFP, the prospective Consultant must affirm that it has no objections to the use of the Standard Agreement as provided, pursuant to this RFP.
- 8.4 If a satisfactory contractual agreement has not been signed within thirty (30) calendar days of provision of a contract draft, the Judicial Council reserves the right to terminate the award.
- 8.5 Consultants selected under this RFP will not be precluded from consideration nor given special status in any future requests for proposals issued by the Judicial Council.
- 8.6 **Provision of the Work.** Work shall be provided in accordance with Service Work Orders to be issued by the Judicial Council under the Standard Agreement resulting from this procurement, and shall be subject to the provisions of the Standard Agreement

accompanying this RFP, including any additional provisions specified in the Service Work Orders with regard to schedule, key personnel, and subconsultants.

- 8.7 **Compensation.** The method of compensation may vary on a Service Work Order-by-Service Work Order basis. See the Standard Agreement posted with this RFP for details.

9. DISABLED VETERAN BUSINESS ENTERPRISE INCENTIVE

- 9.1 The Judicial Council has a Disabled Veterans Business Enterprise (DVBE) program with a total participation goal of three percent (3%).
- 9.2 Qualification for the DVBE incentive is not mandatory. Failure to qualify for the DVBE incentive will not render a Proposal non-responsive.
- 9.3 Consultants will receive a DVBE incentive if, in the Judicial Council's sole determination, Consultant has met all applicable requirements. If Consultant receives the DVBE incentive, a number of points will be added to the score assigned to the Consultant's Proposal. The number of points that will be added is specified in section 6, Evaluation of Proposals, of this RFP.
- 9.4 To receive the DVBE incentive, the Consultant itself must be a certified DVBE and provide the required certification of its status as a DVBE with its Proposal (i.e., by submission of a copy of the Consultant's valid DVBE certification approval letter, etc.). Please note that the DVBE incentive will only be awarded to Consultants that can be verified as a certified DVBE. A non-DVBE Consultant, regardless of whether it intends to utilize DVBE sub-consultants, is not eligible for the DVBE incentive.

10. ADMINISTRATIVE RULES GOVERNING RFP

- 10.1 The Judicial Council's Administrative Rules Governing Requests for Proposals applicable to this RFP can be found in **Attachment A**. By virtue of submission of a Proposal, the Consultant agrees to be bound by said Administrative Rules.
- 10.2 The Judicial Council reserves the right to reject any and all Proposals, in whole or in part, as well as the right to issue similar requests for proposals in the future. This RFP is in no way an agreement, obligation, or contract and in no way is the Judicial Council or the State of California responsible for the cost of preparation or any expenses incurred in responding to this RFP. One copy of a submitted Proposal will be retained for official files and become a public record.

END OF RFP