

Request for Proposals (RFP) for

Job Order Contracting (JOC) Construction Services

The Judicial Council of California seeks to identify a number of contractors qualified to provide Job Order Contracting (JOC) construction services for various projects throughout fourteen (14) JOC Zones located in the State of California for a period of two (2) years, with two (2) possible extensions of one (1) year each.



JUDICIAL COUNCIL
OF CALIFORNIA

OPERATIONS AND PROGRAMS DIVISION
FACILITIES SERVICES



JUDICIAL COUNCIL OF CALIFORNIA

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REQUEST FOR PROPOSALS

Date November 7, 2017

To
Qualified Construction Contractors

From
Judicial Council of California

Project Title
Job Order Contracting (JOC) Services

Action Requested:

Contractors are invited to review this RFP and submit a Proposal in response.

RFP Number
FSO-JOC-Services-2017-08-JP

Deadline
Proposals must be received on or before
December 18, 2017 at 2:00 PM, as specified in the RFP Schedule.

Please see the most recent update to the RFP Schedule posted to the California Courts website page pertaining to this solicitation which can be found at <http://www.courts.ca.gov/>

Send Proposals to:

Judicial Council of California
Attn: Lenore Fraga-Roberts
455 Golden Gate Avenue, 6th Floor
San Francisco, CA 94102

(Indicate RFP Number and the name of your firm on lower-left corner of the outer packaging.)

Contact:
CapitalProgramSolicitations@jud.ca.gov

<i>No.</i>	<i>Solicitation Schedule</i>	<i>Key Dates</i>
1	Issue RFP	November 7 th , 2017
2	San Francisco Pre-Bid Meeting Tuesday in Room 525 Civic Center Civil Courthouse, 400 McAlister, San Francisco, CA 94102 Teleconference Number: 877-820-7831 Participant Code: 109630	CONFIRMED: Thursday, November 14, 2017 9 AM to 11 AM
3	Los Angeles - Pre Bid Proposal Meeting Stanley Mosk Courthouse 5th Floor Room. 522 111 N. Hill St. Los Angeles, CA 90012 Teleconference Number: 877-820-7831 Participant Code: 109630	CONFIRMED: Thursday, November 16, 2017 9 AM to 11 AM
4	Sacramento - Pre-Proposal Meeting Gordon D. Schaber Courthouse, Fifth floor, Department 37, 720 9th Street Sacramento, CA 95814 Teleconference Number: 877-820-7831 Participant Code: 109630	CONFIRMED: Friday, November 17, 2017 9 AM to 11 AM
5	Deadline for Vendor Requests for Clarifications, Modifications, or Questions	November 29, 2017
6	Clarifications, Modifications, and/or Answers to Questions posted on the Judicial Council Website	December 6, 2017
7	Proposal Due Date and Time	December 18, 2017 by 2:00 PM (PST)
8	Notice of Intent to Award (Estimated)	December 22, 2017
9	Contract Award (Estimated)	January 15, 2018
10	Full Performance Start Date (Estimated)	January – February 2018

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Request for Proposals for Job Order Contracting Services

1. GENERAL INFORMATION

The Judicial Branch of California is a part of California government, independent from the executive and legislative branches. The Judicial Branch includes the Superior Courts and Appellate Courts of California, as well as the Supreme Court of California. A part of the Judicial Branch is the Judicial Council of California, chaired by the Chief Justice of California. The Judicial Council of California 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. The Facilities Services office is the division of the Judicial Council responsible for the planning, design, construction, real estate and asset management of facilities for the court system of California.

Pursuant to the Trial Court Facilities Act of 2002 (SB 1732), ownership of and responsibility for most superior court facilities in California has shifted from the Counties to the State. Many of the existing facilities require repairs or modifications.

The Judicial Council has selected Job Order Contracting (JOC) as a means of completing facility repair, alteration, and minor new construction projects. JOC is a proven procurement technique that enables facility owners to accomplish a large number of small to medium-sized projects via individual contracts based on proposals that are competitively evaluated and awarded. JOC Contracting utilizes a set of customized, pre-priced construction tasks as its basis for describing the work and setting pricing. JOC eliminates the time, expense, and staff burden of completing the normal design-bid-construct cycle for each project and delivers quality construction and complete transparency to facility owners more quickly and cost effectively.

Judicial Council seeks proposals (“Proposals”) from qualified contractors (“Contractors”) to provide facility modification services (“Services” or “Work”) to the Judicial Council via the JOC methodology in fourteen (14) contiguous, geographic zones (“JOC Zones”). See **Table Number 1** of this RFP for further details of the JOC Zones.

2. CONTRACTOR’S RESPONSIBILITIES

The Contractors selected under this procurement will be required to provide, via their own efforts or those of their subcontractors, the complete range of work as described in the Construction Task Catalog and all services, including any incidental architectural and engineering services necessary to provide the work, however, Contractors shall not serve as either the architect or engineer of record for the anticipated projects. Work and services must be provided as specified in the in the Job Order Contracting Agreement (“JOC Agreement”) that may be found in the website page of this RFP. Work and services must be provided in accordance with the terms and conditions specified in that JOC Agreement, the terms of which are not negotiable. Proposing Contractors must indicate their acceptance of the terms and conditions at the time of submission using Attachment E to this RFP. If any exceptions are noted, a redlined JOC Agreement must also be included with the submission.

Prior to submission of a Proposal, prospective Contractors are urged to familiarize themselves completely with the JOC Agreement, its terms and conditions (including its Liquidated Damages provisions), the terms and condition of this RFP, the Construction Task Catalog, and the Administrative Terms and Conditions (given in Attachment A of this RFP) that are applicable to this RFP.

3. MINIMUM QUALIFICATIONS AND REQUIREMENTS FOR SUBMISSION OF A PROPOSAL

NOTE: Minimum means that, if a single requirement is not met, the Proposal submitted is disqualified from further evaluation for a contract award.

IMPORTANT: Maintenance contractors that currently have agreements with Judicial Council and are providing maintenance services for Judicial Council or Court facilities in an identified JOC Zone(s) will not be able to submit a Proposal for that JOC Zone(s). Proposals will, however, be accepted from maintenance contractors that currently have agreements with Judicial Council for all other JOC Zone(s).

The following provides a list of all of the minimum qualifications and requirements necessary to submit a Proposal under this procurement:

- A. Contractor must be willing and capable of providing all of the various types of construction Work, as specified in the Construction Task Catalog, and to fulfill all of the obligations of the JOC Agreement. Contractor may provide the Work either through its own efforts or by utilizing subcontractors in accordance with the provisions of the JOC Agreement.
- B. If Contractor proposes exceptions or changes to Attachment F. Contractor must also submit (i) a red-lined version of Attachment F that implements all proposed changes, and (ii) a written explanation or rationale for each exception or proposed change.
- C. **Contractor may attend in person one of the pre-proposal bid conferences that the Judicial Council will be holding at San Francisco, Los Angeles, or Sacramento. See the Solicitation Schedule included on page 3 of this RFP as well as the most recently published version of the Solicitation Schedule posted to the California Courts Website page pertaining to this solicitation for a list of the pre-proposal conference locations and times. If you plan to submit a Proposal, ensure to pick up the Construction Task Catalog (CTC) CD package which will be made available at the beginning pre-proposal conference meetings. If attending in person, Contractors will be required to sign in. Judicial Council will not have copies of this RFP available at the pre-proposal bid conferences, it is the Contractors' responsibility to bring their own copies.**
- D. Contractor must hold and provide verifiable proof in their Proposal of an existing and currently valid California Contractor's "B" License. Contractor must possess this required classification of Contractor's License at the time their Proposal is submitted (per Business and Professions Code § 7028.15).

- E. Contractors must provide proof of performance and payment bond capacity with a minimum aggregate dollar amount of \$25,000.00 to meet the pre-qualification for this RFP. This proof shall include, without limitation, the following:
- i Contractor's current surety bond capacity (aggregate dollar amount);
 - ii How long the surety bonding company(s) has been providing performance and payment bonds to Contractor's company; and
 - iii The amount of working capital required to maintain the current surety bonding capacity.

The purpose of the above requirement is to reasonably ascertain Contractor's ability to meet the bonding requirements of the JOC Contract. At the time of contract execution, Contractor must be capable of actually meeting the Bonding and Insurance Requirements of the JOC Agreement by awarded project. Contractor must submit performance and payment bonds for each project award with a "Notice to Proceed" from the Judicial Council Project Managers. The Judicial Council Project Manager must have original signed performance and payment bonds prior to starting any Work.

- F. Prohibitions, Defaults, Bankruptcies, and Terminations:

As part of its Proposal, Contractor shall certify that it is in compliance with each of the following requirements:

- i Contractor must not have been disqualified, or otherwise prohibited, from performing work for any governmental entity (including any federal, State, or local entities).
 - ii Contractor must not have defaulted on a contract within the 5 year period prior to the Proposal Due Date.
 - iii Contractor must not have declared bankruptcy or been placed in receivership within the 5 year period prior to the Proposal Due Date.
 - iv Contractor must not have been terminated for cause by any governmental entity (including any federal, State, or local entities).
 - v Contractor must not have been found or determined to not be responsible by any governmental entity (including any federal, State, or local entities).
- G. Contractor must complete in its entirety and correctly submit the Internal-Background-Check-Policy attached as Attachment I – only after award of contract, as well as properly complete and provide all required attachments documented in the list attached to that form, in the manner specified in Section 7 of this RFP. The submitted Proposal Submission Form must bear an original signature of an authorized individual of the organization making the Proposal.

- H. Certifications, Attachments, and Other Requirements.
 - i Contractor must, be willing to provide and actually provide a signed original document, executed by a properly authorized individual from Contractor's organization, providing the following certification:
 - Contractor has no interest that would constitute a conflict of interest under California Public Contract Code sections 10365.5, 10410 or 10411; Government Code Sections 1090 et seq. or 87100 et seq.; or rule 10.103 or rule 10.104 of the California Rules of Court, which restrict employees and former employees from contracting with Judicial Branch entities.
 - ii If Contractor is a corporation, Contractor must be willing to provide and actually provide documented proof that Contractor is in good standing and qualified to conduct business in California.

4. ABBREVIATED DESCRIPTION OF CONTRACT WORK, PRICING, TERMS, AND WORK AUTHORIZATION PROCESS

- A. The JOC Agreement is an indefinite quantity contract pursuant to which a Contractor will, when authorized, perform a variety of projects, consisting of specific construction tasks for facilities that will be designated by the Judicial Council within a particular geographic area defined as a JOC Zone. The scope of the JOC Agreement is for general construction, repair, remodel and other repetitive related construction work.
- B. The Judicial Council has licensed and will make copies of the Gordian Group's Construction Task Catalog ("CTC®™" or "Construction Task Catalog") available to prospective Contractors. The CTC®™ contains a series of standardized construction tasks with technical specifications, including materials and equipment necessary to perform the tasks and preset Unit Prices for individual tasks. The CTC®™ was developed using experienced labor and high quality materials. All Unit Prices are based on local labor, material and equipment prices and have taken into consideration the current prevailing wages in that area.
- C. For each JOC Zone that a Contractor wishes to receive consideration for, Contractor must submit four different numerical multipliers ("Adjustment Factors"). If awarded a contract for that JOC Zone, the proposed Adjustment Factors shall serve as adjusting percentages that will be applied to the Unit Prices as published in the CTC®™ to calculate the actual prices that will be charged to the Judicial Council. Adjustment Factors pertain to Large and to Small Projects for tasks done during Normal Working Hours and other than Normal Working Hours. A fifth Adjustment Factor will apply to Non-Prepriced Work (Work for which no description exists in the CTC®™). This fifth adjustment factor will be fixed at 1.10. See the JOC Agreement for additional details.
- D. The total price of the Work for a Project will be determined by multiplying the preset Unit Price of a task as specified in the CTC®™ by the quantities of those tasks specified in an authorized Service Work Order by the appropriate Adjustment Factor(s). Adjustment Factors will differ, depending upon the time of day the Task is performed,

and the total dollar value of Project. There is a defined process for arriving at a Unit Price for a Work task that is not described in the CTC®™ (“Non-Prepriced Work”). This is an abbreviated description of the JOC costing process. See the JOC Agreement for the complete details.

- E. Copies of the Construction Task Catalog on CD ROM will be made available to prospective Contractors free of charge at the Pre-Proposal Conferences.
- F. Service Work Orders authorizing Work under JOC Agreements will be created and authorized as follows:
 - i. The Judicial Council will provide a request for Service Work Order Proposal along with appropriate Project related information.
 - ii. Representatives of the parties will conduct a Joint Scope Meeting at which the Project information and other needs of the Judicial Council will be established.
 - iii. Following the Joint Scope Meeting, the Contractor will provide a Service Work Order Proposal including a proposed final Detailed Statement of Work and a Price Proposal. The Price Proposal will be costed out using the pricing mechanism described above to arrive at a total fixed price for the Project.
 - iv. The Judicial Council will review the Contractor’s Service Work Order Proposal and if found to be acceptable, and the Judicial Council decides to proceed with the Work, a Service Work Order will be authorized by the Judicial Council via issuance of a Service Work Order Authorization.
 - v. Following Authorization of Service Work Order, Contractor shall proceed with the provision of the Work.
 - vi. Absent a request by the Judicial Council to materially change the final Detailed Statement of Work or a change in status of a condition or assumption expressly stated in the same, the agreed upon total price provided in the Authorized Service Work Order establishes a firm fixed price for the performance of all of the Work and provision of all of the Services required to complete the Project, Contractor shall be responsible for providing all of the Work and Services as specified regardless of Contractor’s actual costs and any expenses incurred in the performance of the Work.
 - vii. The exact details of the Service Work Order authorization process are given in the JOC Agreement.
- G. The Judicial Council may choose to conduct periodic Business Performance Reviews on completed projects to evaluate the performance for quality assurance, safety, duration of the project, and client satisfaction. The Judicial Council, at its sole discretion, may not offer additional projects to Service Providers who do not meet minimum performance benchmarks specified in their Business Performance Review.
- H. Contractor will set a goal that 50% of all Work that is subcontracted will be subcontracted to subcontractors whose primary place of business is located within the JOC Zone where

the Work is performed. The goal will be based on the current Estimated Maximum Contract Value.

I. Prevailing Wage Requirements.

- i Payment of Prevailing Wage. The selected Contractor(s) and all its subcontractors must pay all workers on any Project 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 (“Director”) of the Department of Industrial Relations, State of California (“DIR”), for the type of work performed and the locality in which the work is to be performed, pursuant to section 1770 et seq. of the California Labor Code.
- ii Prevailing Wage Rates. Copies of the general prevailing rates of per diem wages for each craft, classification, or type of worker needed to execute the work, as determined by the Director of the DIR, are on file at the Judicial Council’s principal office. Prevailing wage rates are also available from the Judicial Council or on the internet at <http://www.dir.ca.gov/oprl/DPreWageDetermination.htm>. If it becomes necessary to employ a craft, classification, or type of worker other than those listed by the Director of the DIR, Contractor shall contact the Division of Labor Statistics and Research to find the appropriate prevailing wage determination. If the Division of Labor Statistics and Research is unable to identify a determination that is applicable, the Contractor shall notify the Judicial Council immediately, and the Judicial Council will request a special determination from the Division of Labor Statistics and Research. The rate(s) thus determined shall be applicable from the commencement of the JOC Agreement.
- iii Contractor/Subcontractor Registration. The selected Contractor(s) shall comply with the registration requirements and compliance monitoring provisions of Labor Code section 1771.4, including furnishing, its certified payroll records to the Labor Commissioner of California and complying with any applicable enforcement by the DIR. Labor Code section 1771.1(a) states the following:

A contractor or subcontractor shall not be qualified to bid on, be listed in a bid proposal, subject to the requirements of section 4104 of the Public Contract Code, or engage in the performance of any contract for public work, as defined in this chapter, unless currently registered and qualified to perform public work pursuant to section 1725.5. It is not a violation of this section for an unregistered contractor to submit a bid that is authorized by Section 7029.1 of the Business and Professions Code or by section 10164 or 20103.5 of the Public Contract Code, provided the contractor is registered to perform public work pursuant to section 1725.5 at the time the contract is awarded.

- iv The selected Contractor(s) shall, and shall ensure that all “subcontractors” (as defined by Labor Code section 1722.1), comply with Labor Code section 1720 et seq., including without limitation the registration requirements of the DIR that are set forth in Labor Code section 1725.5. Contractor shall not permit any subcontractor, regardless of tier, to perform work under the JOC Agreement without Contractor first verifying the subcontractor is properly registered with the DIR as required by law and providing that information (i.e., the subcontractor’s DIR Registration Number) in writing to the Judicial Council.
- v Compliance. Each Contractor acknowledges that, for purposes of Labor Code section 1725.5, this Work is a public work to which Labor Code section 1771 applies. Projects under the JOC Agreement are subject to compliance monitoring and enforcement by the DIR. The selected Contractor(s) shall post job site notices, as prescribed by regulation. The selected Contractor(s) shall comply with all requirements of Labor Code section 1771.4, except the requirements that are exempt by the Labor Commissioner for the Project.

J. DVBE Program:

- i The Judicial Council has a Disabled Veterans Business Enterprise (DVBE) program with a participation goal of three percent (3%) of the total amount of all actual Service Work Orders that will be issued under an awarded JOC Agreement, or demonstration of a good faith effort to provide such a program.
- ii The Judicial Council does not require that your DVBE program be developed, or that your DVBE compliance forms be submitted with your Proposal, nor will an early submission influence the evaluation of your Proposal.
- iii Submission of your DVBE commitment and the forms documenting it or your good faith effort to provide such a program will be required following notification of selection and prior to the signing of the JOC Agreement by the Judicial Council. Forms are provided here to familiarize you with this requirement and for your later convenience. See Attachment B of this RFP for additional details regarding DVBE participation. Information about DVBE resources can be found on the Executive Branch’s internal website at <http://www.dgs.ca.gov/default.htm>, or by calling the Office of Small Business and DVBE Certification at 916-375-4940.

5. CONTRACT VALUE

The Minimum Contract Value for each JOC Agreement shall be \$25,000. Selected Contractors will receive aggregate Service Work Orders totaling at least \$25,000 during the initial two-year duration of the JOC Agreement. The Estimated Maximum Contract Value for a JOC Agreement will vary depending upon the JOC Zone and geographic area it services. The Estimated Maximum Contract Values pertaining to particular JOC Zones during the initial two-year duration of the JOC Agreement is given in Table Number 1 to this RFP.

The Contractor may be issued Service Work Orders which in total exceed the Estimated Maximum Contract Value; however, the Judicial Council does not guarantee the Contractor will receive any volume of Work above the Minimum Contract Value.

6. CONTRACT TERM

The Initial Term will be for a two-year period, commencing on the effective date of the signed JOC Agreement. The Judicial Council will have the unilateral right to extend the JOC Agreement for two additional periods of one year each beyond the Initial Term.

Service Work Orders may be authorized at any time during the initial two-year duration of the JOC Agreement. Unless extended by the Judicial Council, no new Service Work Orders will be issued following that two-year period; however, the JOC Agreement will remain in full force and effect until all obligations of the parties undertaken as a result of any authorized Service Work Orders under the JOC Agreement have been fulfilled.

7. SPECIFICS OF SUBMITTING A RESPONSIVE PROPOSAL

Prospective Contractors are urged to submit Proposals that clearly and accurately demonstrate the specialized knowledge and experience required for consideration for this Work. Proposals should provide straightforward, concise information that satisfies the requirements of this RFP. Extensive color displays, and/or graphics are not necessary. Emphasis should be placed on brevity, conformity to the instructions and requirements of this RFP, and completeness and clarity of content.

Copies of the forms to be used to fulfill the requirements of this RFP can be found in the “Fillable Forms and Instructions” file posted to the website page pertaining to this Solicitation.

For each specific JOC Zone that your organization wishes to receive consideration for, separately submit by JOC Zone all of the documents and disks as specified below. Contractors are urged to pay particular attention to the labeling of the documents and disks. If your designation of the JOC Zone for which you are applying on the printed materials or disks is somehow ambiguous, or if the JOC Zone designated on the documents differs from that on the disks, or PDF files submitted on the disks do not pertain to the JOC Zone identified on the disk label, your Proposal may be eliminated from further consideration.

A. Documents:

Provide the following printed documents in the quantities specified below. Use the titles specified below and include on the outside of all envelopes and disks required below: (1) the name of your organization, (2) the number of the JOC Zone for which you are submitting, (3) the Judicial Council’s RFP number for this solicitation (FSO-JOC-Services-2017-08-JP), and (4) any other label title as specified below.

- i Technical Proposal. Provide the following documents, together, in a single envelope entitled “Technical Proposal”:
 - (a) A document identified on the cover page with the title “Technical Proposal” containing a completed and signed Submission Proposal Form, as required by Attachment 1, accompanied by all of the materials listed at the end of the form, in the order specified in the list at the end of the form. Some of the materials that are required by Attachment 1 must be submitted as signed originals. Please include all of the materials that must be

submitted as signed originals within one document you submit and in addition submit 4 copies of that document.

- ii Pricing Proposal. Provide the following documents, together, in a single envelope entitled “Pricing Proposal”:
 - (a) A document identified on the cover page with the title “Bid Form” as required by Attachment M Submit the calculation of the Combined Adjustment Factor for the JOC Zone you are submitting in separate envelopes for each zone. Provide 2 copies of this document.
- iii Bonding and Safety Record Documents. Provide the following documents, together, in a single envelope entitled “Bonding and Safety Record”:
 - (a) The original and signed letter regarding your bonding capacity as specified in Section 3.
 - (b) The Completed Safety Record Form, with attachments, as required by Attachment O In addition, provide an original and 1 copy of this document.
- iv Additional Documents: Provide the following documents, together, in a single envelope entitled “Additional Documents”:
 - (a) Submit a single separate written and signed letter (“Introductory Letter”) identifying the individual who will serve as your point of contact for administrative communication with regard to your Proposal or Proposals, including address, telephone and e-mail contact information. It is the intention of the Judicial Council that all communication regarding this RFP will be made via the California Courts’ website page pertaining to this solicitation; however, should the need arise for the Judicial Council to initiate any separate communication addressed to your organization with regards to this RFP, it will be sent to that individual at the e-mail address you specify in the Introductory Letter. Include the Judicial Council’s RFP number for this solicitation (FSO-JOC-Services--2017-08-JP) on your Introductory Letter. Provide a copy of this Introductory Letter as a single separate PDF file, entitled “Introductory Letter” both on the disks and as the first item in the printed and bound copies of the Proposals you provide. Provide 1 copy of this Introductory Letter.
 - (b) Submit a single separate signed original of the Payee Data Form (“Payee Data Form”) completed in the exact legal name under which you are proposing to do business with the Judicial Council. The Payee Data Form can be found in Attachment D A completed Payee Data Form is necessary to establish your organization in the Judicial Council’s Accounts Payable system and provide you with a contract document. Provide a copy of this document as a single separate PDF file, entitled “Payee Data Form” both on the disks and as the second item in the printed and bound copies of the Proposals provided. No copies are necessary.
 - (c) A document that fulfills the requirement of Sections 3(G) and 3(I)(i) of this RFP pertaining to certifications.

- (d) If applicable, a document that fulfills the requirement of Section 3(I)(ii) of this RFP pertaining to corporate status.

B. Disks:

i Submit two disks or flash drives containing the following files:

- (a) On one disk or flash drive, provide the following four files in PDF format:
- A file entitled “Technical Proposal” and containing the complete text of the documents you have provided in response to the Technical Proposal requirements above;
 - A file containing the complete text of the documents you have provided in response to the Pricing Proposal requirements above (documents should be provided in the form of PDF files - DO NOT SUBMIT THE EXCEL FILE ITSELF);
 - A file containing the complete text of the “Bonding and Safety Record Documents” provided in response to the above; and
 - A file containing the complete text of the “Additional Documents” provided in response to the above.

In addition to the labeling required above, include the words “Complete Proposal” on the face of this disk.

- (b) On the other disk or flash drive, provide the following three files in PDF format:
- A file entitled “Technical Proposal” and containing the complete text of the documents you have provided in response to the Technical Proposal requirements above;
 - A file containing the complete text of the “Bonding and Safety Record Documents” provided in response to the above; and
 - A file containing the complete text of the “Additional Documents” provided in response to the above.

In addition to the labeling required above, include the words “Partial Proposal” on the face of this disk.

C. Packaging:

Other than the disks and printed materials requested above, do not enclose any other materials (brochures, pamphlets, business cards, advertising or other printed material) with your Proposal. Such materials will not be considered to be part of your Proposal and will be discarded.

Submit the disks or flash drives and written materials referred to above in a shipping container, labeled with (1) the name of your organization, and (2) the Judicial Council’s RFP number for this solicitation (FSO-JOC-Services-2017-08-JP). If you are submitting for more than one JOC Zone, you may include multiple Proposals in a single shipping package, but please segregate the materials by JOC Zone in some easily identifiable way.

D. Submission of Proposals:

Submissions must be sent to:

Judicial Council of California
455 Golden Gate Avenue, 6th Floor
San Francisco, CA 94102-3688
Attn: Lenore Fraga-Roberts
(Indicate RFP Number and Name of Your Organization,
at lower left corner of outer packaging)

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 A.M. to 5 P.M., Judicial Council Business Days). Contractors are advised to obtain a handwritten receipt from the Judicial Council receptionist when submitting. The Judicial Council does not issue communications confirming its receipt of Proposals. If you require a confirmation, please contact your delivery service.

E. Due Date and Time:

The due date and time for submission of your proposals can be found in the most recent version of the Solicitation Schedule on page 3 in this RFP posted to the California Courts' website page pertaining to this solicitation. Please keep abreast of changes to the Solicitation Schedule by monitoring the website throughout the duration of the proposal, evaluation, and award processes.

8. JUDICIAL COUNCIL RIGHTS

- A. The Judicial Council has the right to cancel or reschedule this RFP at any time for any or no cause and without prior notice.
- B. The Judicial Council has the right to issue RFPs for the same or similar projects in the future and, during the term of the contemplated JOC Agreements, solicit and use other methods of contracting to obtain and provide similar work and services.
- C. If, prior to the signing of the JOC Agreement, the proposing entity changes its business ownership or the Judicial Council determines that a prospective Contractor's proposed personnel or the subcontractors specified in the Proposal have substantially changed, or that a Proposal contains a misrepresentation, or that the representations given in the Proposal have changed, the Judicial Council reserves the right to discontinue the awarding of that contract.
- D. This RFP and the Proposals provided as a result of it shall in no way act to form an agreement, obligation, or contract; however, prospective Contractors' Proposals shall remain open for acceptance by the Judicial Council throughout the period anticipated by the published Solicitation Schedule applicable to this RFP, including any extension thereof by the Judicial Council.
- E. In any event and regardless of circumstances, in no way shall the Judicial Council or the State of California be held responsible for any loss of profit or any costs or expenses incurred or experienced as a result of a prospective Contractor's preparation and

provision of Proposal(s), participation in interviews, or any other effort expended in regard to this RFP.

9. PROPOSAL EVALUATION AND AWARD PROCESS

Selection of Contractors for participation in contracts resulting from this RFP will be made in accordance with the following procedure.

The events of the evaluation and award process shall proceed in chronological order as follows:

- A. A number of different Evaluation Committees consisting of at least three (3) voting members will be established to score the differing subject areas to be evaluated. The Safety Records will be reviewed and evaluated solely by Judicial Council Risk Management. The Evaluation Committees shall consist of Judicial Branch employees. The Judicial Council may also utilize non-voting technical advisors to the Evaluation Committees (potentially consisting of both Judicial Council employees and consultants).
- B. Upon passing of the Proposal due date and time, the Contracting Officer will log all Proposals received and forward them to the Evaluation Committee. Proposals received after the due date and time will be rejected and the Contractors notified by e-mail.
- C. Proposals will be evaluated for further compliance with the other requirements of this RFP, and their subject areas scored on the basis of the information provided in the Proposals. If, in the course of further examination of a Proposal, that Proposal is found to be incomplete or non-compliant with a requirement, the Contractor will be notified by e-mail and such Proposal removed from further evaluation and consideration for an award. In accordance with the Administrative Terms and Conditions applicable to this procurement, the Judicial Council has the right to waive any immaterial non-compliance to a submission requirement; provided that, in the Judicial Council's best judgment, the non-compliance is not material in nature.
- D. The selection of Proposals for award is to be performed on a best value basis, in proportion to the weight given each subject area. The Contractor offering the lowest price will not necessarily be awarded a contract.
- E. The subject areas being evaluated and maximum possible point scores that can be awarded for each are as follows:

Subject Area Being Evaluated	Maximum Points
Related Experience and Past Performance	20
Contract Management Plan	10
Safety Record	5
Price	65
Total Possible Score (Points):	100

- F. Each evaluator will assign a point score for a subject area based on their review of the Proposal materials provided. Scores given by the individual evaluators will be averaged and totaled to arrive at a final point score for the subject area.
- G. As part of the process of evaluating and scoring the Proposals submitted, the Judicial Council may, if it deems necessary, contact references cited in the Proposal to verify the experience and performance of the Contractor, or contact the Contractor for any clarification necessary. Failure of the Contractor to provide the clarification or additional information requested within the time frame set forth by the Judicial Council shall act to disqualify the Proposal from further consideration for an award.
- H. The subject areas of Related Experience and Past Performance, Contract Management Plan, and Safety Record will be reviewed and scored first.
- I. Upon completion of the above noted evaluations, the evaluation of Price will be performed, and points applicable to the Price subject area will be awarded as follows:
- “Submitted Contractor Adjustment Factor” refers to Contractor’s Contractor Adjustment Factor (CAF) submitted in its Price Proposal for the individual JOC Zone being evaluated.
- “Lowest CAF” refers to the lowest CAF submitted for the individual JOC Zone being evaluated.
- $(\text{Lowest CAF} / \text{Submitted CAF}) * 65 = \text{Total Points to be Awarded for Pricing Component}$
- Judicial Council may set a maximum CAF.
- J. Upon completion of the scoring of the Price subject area, the points allotted for all subject areas will be added to arrive at a final point score for the Proposal. The highest point score will be awarded the contract.
- K. Judicial Council, at its own discretion, may or may not award any contracts for each or any of the JOC Zones.
- L. Notices of the names of the Contractors selected will be posted to the website page pertaining to this solicitation <http://www.courts.ca.gov/rfps.htm> . Following notice of selection, the Judicial Council will provide each Contractor with a completed draft of the JOC Agreement. Contractor shall have a period of 14 calendar days in which to provide the Judicial Council with two signed originals of the JOC Agreement accompanied by their DVBE documentation, and Insurance Certificates. If the Judicial Council has not received the signed contract documents and other materials cited above within this 14 day period, the Judicial Council shall have the right, without notice, to cancel the selection and proceed to award the contract to the next highest scoring Proposal. Contract Bonds and Insurance submitted must be as specified in this RFP, and will be reviewed prior to Judicial Council execution of the Agreement

- M. Signed originals of contracts, DVBE materials, Certificates of Insurance, and Contract bonds are to be assembled together, in a single package and sent to:

Branch Accounting and Procurement
Judicial Council of California
455 Golden Gate Ave, Floor 6
San Francisco, CA 94102-3688

10. RFP PROCESS AND SUBSEQUENT EVENTS

This RFP process and the Solicitation Schedule are subject to change at any time. Changes will be posted to the California Courts' website page pertaining to this solicitation, and no other notifications of changes shall be transmitted. **Prospective participants are urged to consult said website in a timely manner to remain apprised of any changes. Staying abreast of changes in the RFP is the sole responsibility of the prospective Contractors.**

Pre-proposal conferences (expected to last 2 hours) will be held on various dates specified in the most recent update to the List of Pre-Proposal Meetings posted to the California Courts' website page pertaining to this solicitation. The purpose of these conferences will be to discuss any questions that prospective participants may have regarding the scope of the work, the Job Order Contracting process, the JOC Agreement, and the procurement process. Judicial Council representatives will verbally respond to questions from the participants. Prospective Contractors should become thoroughly familiar with the terms and conditions of this RFP and local conditions affecting the performance and costs of the Work before attending the conference.

Following the pre-proposal conference, prospective Contractors may submit written questions regarding this procurement to the Judicial Council via e-mail, which must be sent to capitalprogramssolicitations@jud.ca.gov. All questions must be submitted no later than the date and time specified in the Solicitation Schedule. Utilize the "Form for Questions" posted as Attachment J to this RFP as the vehicle to submit your questions. The Judicial Council will post answers to the questions submitted as well as any necessary clarifications and addenda to this RFP or the JOC Agreement on the California Courts' website page pertaining to this solicitation in accordance with the date specified in the most current Solicitation Schedule.

Proposals to be submitted may be sent by US mail, express mail, courier service of the prospective Contractor's choice, or by hand delivery to the Judicial Council. E-mail and/or fax submissions are not acceptable and will not be considered.

All of the materials required by Section 7 of this RFP are due on or before the date and time specified in the most current version of the Solicitation Schedule posted to the California Courts' website page pertaining to this solicitation. It is the sole responsibility of the prospective Contractor to ensure that the Proposal reaches the Judicial Council on or before the date and time specified. Submittals received after the deadline will be rejected without review. With the exception of Proposals delivered by hand, the Judicial

Council provides no receipts nor makes any notification of its receipt or failure to receive any Proposal, and participants must refrain from inquiring about the receipt of Proposals.

Throughout this solicitation process, if there is any need for communication with the Judicial Council with regards to any aspect of this RFP, such communication must be in writing, and submitted by e-mail to capitalprogramssolicitations@jud.ca.gov. With regard to this RFP, prospective Contractors and their subcontractors must not communicate on the topic of the RFP with Judicial Council personnel or other Judicial Council consultants associated with this procurement. Violation of this restriction may disqualify an organization from consideration.

11. REQUESTS FOR PUBLIC RECORDS; CONFIDENTIAL OR PROPRIETARY INFORMATION

One copy of each Proposal submitted will be retained for official files.

The Judicial Council is bound by rule 10.500 of the California Rules of Court with regards to disclosure of public records. If a request is made to the Judicial Council for access to documents or materials related to this RFP, the Judicial Council will determine whether such documents or materials, in whole or part, are subject to disclosure under rule 10.500 or other applicable law and, if subject to disclosure under Rule 10.500, the Judicial Council will proceed to disclose the documents/materials as public records.

Please see the Administrative Rules Governing Requests for Proposals for the Judicial Council policy with regards to the treatment of any confidential or proprietary information submitted as part of your Proposal.

Provide all of the following materials along with your Proposal Submission Form:

Failure to provide any of the following Materials will render your Proposal noncompliant.

A written summary of your capabilities in accordance with the directives of Attachment L - Outline of Requirements for Proposal Submission, including a copy of your State of California Contractor's "B" License as part of Section 7

Your completed, signed, and **notarized** Non-Collusion Affidavit in accordance with Attachment P.

Any other form required by this RFP.

Table Number 1 : JOC Zones

JOC Zone	Average Yearly Spend	Counties of Zone	Number of Contracts anticipated to be awarded per Zone
1	\$ 1,000,000	Del Norte, Humboldt, Mendocino, Lake	Multiple
2	\$ 500,000	Siskiyou, Modoc, Trinity, Shasta, Lassen, Tehama, Glenn, Colusa, Butte, Plumas	Multiple
3	\$ 1,500,000	Marin, Sonoma, Napa, Solano	Multiple
4	\$ 1,000,000	Contra Costa, Alameda	Multiple
5	\$ 1,000,000	Yolo, Sacramento, Sutter, Yuba, Sierra, Nevada, Placer, El Dorado	Multiple
6	\$ 1,000,000	San Joaquin, Stanislaus, Amador, Calaveras, Alpine, Tuolumne, Mono	Multiple
7	\$ 1,500,000	San Francisco, San Mateo	Multiple
8	\$ 2,000,000	Santa Cruz, Santa Clara, Monterey, San Benito	Multiple
9	\$ 1,000,000	Merced, Mariposa, Madera, Fresno, Kings, tulare	Multiple
10	\$ 500,000	San Luis Obispo, Santa Barbara, Ventura	Multiple
11	\$ 500,000	Kern, Inyo	Multiple
12	\$ 500,000	San Bernardino, Riverside	Multiple
13	\$ 10,000,000	Los Angeles, Orange	Multiple
14	\$ 800,000	San Diego, Imperial	Multiple