



# REQUEST FOR PROPOSALS

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EMPLOYEE AND FACILITY HEALTH AND SAFETY  
INSPECTION CONSULTING SERVICES

RFP #JBCP-2013-02-BR

**PROPOSALS DUE:**

August 22, 2013 NO LATER THAN 2:00 P.M. PACIFIC TIME

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## **1.0 BACKGROUND INFORMATION**

### **1.1 Judicial Council of California**

The Judicial Council of California, under the leadership of the Chief Justice, is the policymaking body of California’s judicial branch. In accordance with the California Constitution, the council is responsible for ensuring the consistent, independent, impartial, and accessible administration of justice. The Council also adopts rules for court administration, practice, and procedure, and performs other functions prescribed by law. The Council performs most of its work through advisory committees and task forces.

### **1.2 Administrative Office of the Courts (AOC)**

The AOC is the staff agency to the Judicial Council and assists both the Council and its chair in performing their duties. The Judicial Branch Capital Program Office Risk Management Unit has responsibility for safety and health management responsibilities for over 500 court facilities state-wide.

## **2.0 PURPOSE OF THIS RFP**

This RFP is to identify a qualified health and safety consultant to provide a range of services to existing or new court facilities. The list of services may include one or more of the following:

- Construction Health and Safety Services

- General Industry Health and Safety Services
- Industrial and Environmental Health, Hygiene and Safety Services
- Education and Training Safety and Health Services
- Services associated with Owner or Contractor Controlled Insurance Program (OCIP'S) (CCIP'S)

### **3.0 CODES AND STANDARDS APPLICABLE TO PROVISIONS OF SERVICE**

Work performed under the contract shall meet all applicable requirements of the following:

CAL OSHA (California Occupational Safety & Health Administration)  
CAL H & S (California Health & Safety Code)  
CFR (Code of Federal Regulation)  
CCR (California Code of Regulations)  
FED OSHA (Federal Occupational Safety & Health Administration)

### **4.0 SCOPE OF WORK**

Consultant shall furnish, without limitation, all necessary labor, material, hardware, software, tools and equipment to complete the work as described in this document and the proposed scope of services. The intent here is to give a brief, general description of services which may be required. Consultant will conduct all work using applicable codes and standards providing the service to the level of professional care.

This scope of work includes, but is not limited to the following:

#### **4.1 Provide or assist the AOC in providing any of the following specific Construction Health And Safety Services:**

- 4.1.1 Conduct Safety and Health Assessment
- 4.1.2 Identify Industrial Hazards
- 4.1.3 Conduct Activity Hazard Analyses on specific work processes
- 4.1.4 Prepare Emergency Action Plans
- 4.1.5 Contractor Screening
- 4.1.6 Develop accident prevention plans
- 4.1.7 Develop accident prevention plans
- 4.1.8 Develop health and safety plans

#### **4.2 Provide or assist the AOC in providing any of the following specific General Industry Health And Safety Services:**

- 4.2.1 Conduct Health and Safety Assessment
- 4.2.2 Identify Industrial Hazards
- 4.2.3 Develop Accident Prevention Plan
- 4.2.4 Develop a Health and Safety Plan
- 4.2.5 Conduct Activity Hazard Analyses on specific work processes

#### **4.3 Provide or assist the AOC in providing any of the following specific Industrial and Environmental Health, Hygiene and Safety Services. Individual assigned to perform**

samplings, investigations, surveys, analyses and assessments must possess the necessary training and certifications to conduct work assigned.

- 4.3.1 Commercial Mold Investigation
- 4.3.2 Industrial Hygiene Assessments, Inspections, and Consultations
- 4.3.3 Air sampling and Noise Exposure Monitoring
- 4.3.4 Health Risk Analysis and Hazard Communication
- 4.3.5 Lead, Asbestos, Particulates and Mold Survey
- 4.3.6 Ionizing and Non-ionizing Radiation Survey

4.4 Provide or assist the AOC in providing any of the following specific Education And Training Safety And Health Services:

- 4.4.1 Conduct 10 Hour and 30 Hour Federal OSHA for Construction Industry
- 4.4.2 Conduct 10 Hour and 30 Hour Federal OSHA for General Industry
- 4.4.3 Customize Safety and Health Courses Tailored to Specific Organizations
- 4.4.4 Provide Federal and Cal OSHA specific training requirement
- 4.4.5 CPR/First Aid
- 4.4.6 Education and Training on specific OSHA required topics such as:
  - Lift Trucks
  - Respiratory Protection
  - Aerial Platforms
  - Excavating & Trenches
  - Personal Protective Equipment (PPE)
  - Fall Protection
  - Hazard Communication
  - Lock Out/Tag Out (LOTO)

4.5 Provide or assist the AOC in providing any of the following specific Owner or Contractor Controlled Insurance Program (OCIP'S) (CCIP'S)

- 4.5.1 Monitor compliance of the OCIP/CCIP safety program
- 4.5.2 Review and comment on Job Hazard Analyses (JHA), Activity Hazard Analyses (AHA), Injury and Illness Prevention Programs (IIPP's) and other safety management processes
- 4.5.3 Coordinate site visit with Insurance brokers, providers, and contractor
- 4.5.4 Conduct administrative audits of the contractors safety program
- 4.5.5 Communicate non-compliance safety issues with the controlling contractor
- 4.5.6 Conduct and document accident and near miss investigation
- 4.5.7 Stop unsafe work activity and monitor effectiveness of corrective actions

Consultants should only respond to this RFP for the services for which they are qualified to provide or supervise and manage through subcontracts.

## **5.0 TIMELINE FOR THIS RFP**

### **5.1 Proposed Schedule**

Below are key events and dates for this RFP. Changes to the schedule will be posted on the AOC web site (<http://www.courts.ca.gov/rfps.htm>).

No.	Key Events	Key Dates (PST)
1	AOC issues RFP	7/29/2013
2	Deadline for proposers to submit questions, requests for clarifications to: <a href="mailto:capitalprogramssolicitations@jud.ca.gov">capitalprogramssolicitations@jud.ca.gov</a>	8/5/2013 1:00 PM
3	Post questions and AOC Answers on website	8/12/2013 5:00 PM
4	<b>Proposal Due Date and Time</b>	<b>8/22/2013, 2:00PM</b>
5	Posting of Short Listed Consultants (if required) on RFP website: <a href="http://www.courts.ca.gov/">http://www.courts.ca.gov/</a>	9/5/2013*
6	Interviews of Short Listed Consultants (if necessary) at AOC office, San Francisco or by telephone	9/12/2013*
7	Intent to Award Posted on RFP website	9/18/2013*
8	Contract start date	9/30/2013*

\* Denotes estimated dates. Changes to these dates may not be posted.

## 6.0 PROPOSAL SUBMISSION

**6.1** Proposals should provide straightforward, concise information that satisfies the requirements of the Section 7.0 Proposal Content below. Expensive bindings, color displays, and the like are not necessary or desired. Emphasis should be placed on conformity to the RFP’s instructions and requirements, and completeness and clarity of content.

**6.2** The Proposer must submit:

- A. **One (1) original and 4 copies** of your non-price proposal.
- B. **One (1) original and 1 copy** of the Price Proposal (*Attachment B*).
- C. **One (1) CD or flash drive** of the entire proposal. The electronic files must be in PDF, Word, or Excel formats. Label the disk or flash drive with firm name, RFP title and number.
- D. **One (1)** completed and signed Payee Data Record Form (*Attachment G*). Indicate the exact legal name under which you propose to contract with the AOC.

**6.3** The original must be signed by authorized representative of the Proposer. Submit Price Proposal in a separate sealed envelope. Clearly mark the envelope “Price Proposal – (firm name), and RFP title and number”).

### **6.4 Delivery Address**

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

Administrative Office of the Courts  
Attn: Nadine McFadden, RFP #JBCP-2013-02-BR  
455 Golden Gate Avenue  
San Francisco, CA 94102-3688

## **6.5 Late Proposals**

Will not be accepted.

## **6.5 Delivery of Proposals**

Only written proposals will be accepted. Proposals must be sent by registered or certified mail, courier service (e.g., FedEx), or delivered by hand. Proposals may not be transmitted by fax or email.

## **7.0 PROPOSAL CONTENT**

### **7.1 Information Required**

The following information must be included in the proposal:

- A. *Cover letter* Provide cover letter that confirms all elements of the RFP have been read and understood and that the Proposer takes no exception to the terms and conditions which are provided as Attachment C. If exceptions are taken, Proposer shall submit as instructed in section F below. Cover letter shall be one page maximum and signed by an individual authorized to bind the Proposer contractually. The letter should include:
  - i. Exact legal, address, telephone and fax numbers, and federal tax identification number of the organization proposing to do business with the AOC (or social security number if the organization is a sole proprietorship),
  - ii. The name, telephone, fax, address, and e-mail address of one business person who is the organization's designated representative,
  - iii. The name, telephone, fax, address, and e-mail address of the contracts management or legal person who will liaise with the AOC in contractual matters.
- B. *Project Experience:* Identify and describe five (5) projects including client, location, building use, structure type, total environmental abatement cost, accuracy of cost estimating, and the detailed nature of your firm's services. Provide details (if applicable) of your firm's familiarity in working with federal, state or local governmental agencies. Describe your experience in preparing plans, permits and documentations for regulatory compliance. One page per project.
- C. *Summary of Firm and Key Personnel:* Describe your firm's history, resources, and capabilities. Indicate key personnel that you will agree to commit to AOC projects, including name, qualifications, past project experience and job classification. Indicate applicable licenses, credentials, and professional training held by the firm principal(s) and key personnel. Information to be provided with licenses to include licenses number, date of original issue, lapses in dates of licensure, standing of licensee (including any disciplinary or other actions taken by licensing authority, other than licensing renewal), expiration of current licenses. Three pages total.
- D. *Technical Approach:* Describe the methods used by your firm to ensure accuracy and coordination of test reports, plans, inspections, abatement methodologies and decisions, specifications writing, and post-abatement clearance inspection and testing. Indicate your approach to management, use of computers, and abatement monitoring. Include one

example of past work, which may be selected from assessment reports, test reports, abatement recommendations (i.e. the “executive summary”), specifications, or other relevant data. Three pages total.

- E. *References:* Provide minimum of four (4) references for whom Proposer has provided similar services in the last 12 months (*Attachment H*). The AOC may contact references listed by the Proposer. Two pages total.
- F. *Certifications, and Other Requirements:*
- i. Proposer must include the following certification in its proposal (*Attachment E*). Proposer 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. Proposer must include the following certification in its proposal (*Attachment F*). Certify that Proposer is not a “scrutinized company,” if Proposer currently or within the last three (3) years has had business activities or other operations outside the United States.
  - iii. If Proposer is a corporation, proof that Proposer is in good standing and qualified to conduct business in California.
  - iv. Copies of current business licenses, professional certifications, or other credentials.
  - v. Submission of Proposer’s exceptions to contract language (subject to negotiation). Exceptions must be submitted on a red-lined version of the terms and conditions. Proposed changes should be clearly indicated and a written explanation or rationale should be provided for each exception and/or proposed change.

## 8.0 SELECTION PROCESS

It is the intent of the AOC that its selection of the Consultant to provide employee, facility health and safety services shall take into consideration both the quality of the concern, as demonstrated by their competence and experience and by the cost proposed to provide services.

## 9.0 EVALUATION OF PROPOSALS

Proposals will be checked for the presence or absence of the required proposal contents.

- Proposals that contain false or misleading statements may be rejected if, in the opinion of the AOC, the information was intended to mislead the state regarding a requirement of the solicitation document.
- If a proposal fails to meet a material solicitation document requirement, the proposal may be rejected. A deviation is material to the extent that a response is not in substantial accord with solicitation document requirements. Material deviations cannot be waived. Immaterial deviations may also cause a proposal to be rejected.

- During the evaluation process, the AOC may require an phone interview with a Key Personnel and/or may require vendor's representative to answer questions with regard to the vendor's proposal. Failure of a vendor to respond and demonstrate in a timely manner that the claims made in its proposal are, in fact, true may be sufficient cause for deeming a proposal nonresponsive.
- Proposals will be evaluated by the AOC per the following selection criteria and weighting:

CRITERIA	TOTAL NUMBER OF POINTS
<i>Qualifications – Consultant’s ability to perform all services required as outlined in the RFP</i>	35
<i>Experience – Demonstrated experience in relation to the scope and quality of services provided to clients in the past</i>	35
<i>Reasonableness of cost proposal</i>	30
<i>Points Maximum</i>	100

**10.0 PROPOSED CONTRACT TERMS**

The AOC intends to contract with selected Consultant using a Master Agreement which established the overall scope of the services to be provided, the obligations of the parties, and the prices and fees to be charged. Work will be authorized under the Master via signed Work Authorizations and Work Orders. Compensation will be based on either a firm-fixed price or time and materials not-to-exceed basis.

The AOC does not guarantee the amount or duration of Work that may be awarded. Work Authorizations will be awarded based solely upon the AOC’s needs.

The initial term of the Master Agreement will be for three (3) years with one (1) one-year renewal option.

**11.0 CONFIDENTIAL OR PROPRIETARY INFORMATION**

One copy of each proposal will be retained by the AOC for official files and will become a public record. California Judicial Branch entities are subject to rule 10.500 of the California Rule of Court, which governs public access to judicial administrative records (see [www.courtinfo.ca.gov/cms/rules/index.cfm?title=ten&linkid=rule10\\_500](http://www.courtinfo.ca.gov/cms/rules/index.cfm?title=ten&linkid=rule10_500)).

If information submitted in a proposal contains material noted or marked as confidential and/or proprietary that, in the AOC’s sole opinion, meets the disclosure exemption requirements of Rule 10.500, then that information will not be disclosed upon a request for access to such records. If the AOC finds or reasonably believes that the material so marked is **not** exempt from disclosure, the AOC will disclose the information regardless of the marking or notation seeking confidential treatment.



The Proposer may be required to sign an AOC Non-Disclosure Agreement before the AOC discloses any confidential information.

## **12.0 ADMINISTRATIVE RULES**

Incorporated in this RFP and attached as Attachment A, is a document entitled “Administrative Rules Governing Requests for Qualifications.” Prospective Consultants shall follow these rules in preparation and submittal of their proposal. By virtue of submission of a written proposal, the prospective Consultant agrees to be bound by these administrative rules.

## **13.0 DISABLED VETERAN BUSINESS ENTERPRISE PARTICIPATION GOALS**

If Contractor committed to achieve disabled veterans business enterprise (“**DVBE**”) participation, Contractor shall within sixty (60) days of receiving final payment under this Agreement (or within such other time period as may be specified elsewhere in this Agreement) certify in a report to the AOC: (1) the total amount the prime Contractor received under the Agreement; (2) the name and address of any DVBE that participated in the performance of this Agreement; (3) the amount each DVBE received from the Contractor; (4) that all payments under this Agreement have been made to the DVBE; and (5) the actual percentage of DVBE participation that was achieved. A person or entity that knowingly provides false information shall be subject to a civil penalty for each violation.