



Request for Proposal

TITLE: BUILDING MEASUREMENT SERVICES

The Judicial Council seeks to select qualified firms to provide building measurement services for the Office of Real Estate Facility Management (REFM), which provides operation, repair, maintenance, modification, and environmental compliance of court facilities for the Superior, Appellate, and Supreme Courts of California.

RFP number: REFM-2016-16-BD

**PROPOSAL DUE DATE:
APRIL 3RD, 2017 NO LATER THAN
3:00 PM PACIFIC TIME**



**JUDICIAL COUNCIL
OF CALIFORNIA**

ADMINISTRATIVE DIVISION
REAL ESTATE AND FACILITIES MANAGEMENT

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1.0 BACKGROUND INFORMATION

- 1.1** The Judicial Council, chaired by the Chief Justice of California, is the policy making body for the California judicial branch. The Judicial Branch Office of Real Estate Facilities Management (REFM) is responsible for the operation, repair, maintenance, modification, and environmental compliance of court facilities for the Superior, Appellate, and Supreme Courts of California. The REFM, through this Request for Proposal (RFP), is soliciting proposals from building measurement vendors (“Contractor(s)”) with the technical expertise to provide all labor, tools, materials and skills necessary to measure the interior space of buildings, and develop floor plan drawings at courthouse facilities in four (4) Regions of California, locations listed in (Attachment 2).
- 1.2** The intention of this RFP is to broadly describe the scope of requirements for the work that REFM may procure as a result of this solicitation. Submittals responding to this RFP shall indicate the services that a responding company is qualified to perform and proposes to perform. Based on the responses to this RFP, REFM may select service providers qualified to provide specific portions or all of the scope of services described in this RFP and negotiate one (1) Master Agreement (or “Agreement”) per region with the selected service providers. REFM expects the duration of the Agreement to be three years, and expects to include options for two mutually agreed two-year extensions of the Agreement.
- 1.3** Under each Agreement, the Judicial Council, when the need arises, may authorize the performance of Work via written Work Order(s) executed between the Judicial Council and the Contractor. The proposal and authorization process for Work Orders will be completed according to the terms of the Agreement. Please see (Attachment 1) for the Standard Master Agreement.
- 1.4** The Judicial Council does not guarantee the amount or duration of work or number of Work Orders that may be given to service providers awarded Master Agreements. The Judicial Council will make work assignments to service providers at its sole discretion.
- 1.5** All Building Measurement Services work that may be done as a result of this RFP shall be in accordance with the requirements expressed in this document and with the Judicial Council Master Agreement and Work Order applicable to the work (Attachment 1), which includes compliance with all currently applicable local, State, and federal codes and regulations.

- 1.6 Any vendor who currently has a contract with the Judicial Council that compensates such vendor on a square foot basis is requested not to bid on this solicitation due to a potential conflict of interest.
- 1.7 If a proposer is awarded a master agreement under this solicitation, such proposer is advised that it may no longer be eligible to bid on future Judicial Council projects where compensation is made on a square foot basis.

2.0 DESCRIPTION OF SERVICES AND DELIVERABLES

- 2.1 The Judicial Council seeks the services of persons or entities with expertise in building measurement and floor plan development services, including but not limited to, measurement of buildings utilizing the Building Owners and Managers Association (BOMA), ANSI/BOMA Z65.1 – 2010 standard for office buildings. See <http://www.boma.org> for more information on BOMA standards. The Judicial Council is issuing this RFP is to identify and contract with one or more qualified building measurement service provider(s) either state wide or within specific regions of the State of California. The selected companies will provide building measurement services, equipment and expertise for new or existing California Court facilities. Proposers must submit a separate cost proposal for each Region where they propose to provide services. Please confirm each Region where your firm is willing to provide service by completing the Check Region Form (Attachment 5). By selecting a Region, proposers agree to perform building measurement services at all properties listed within the selected Region, see List of Judicial Council properties by Address (Attachment 2), and the Regional Office Locations Map (Attachment 4) for detail on the location of offices within each Region.

This scope of work includes the following tasks:

- 2.2 Measure the total interior square footage, and the square footage of open to the weather spaces including exterior corridors, porches, balconies, courtyards, and rooftop (space inside fenced areas only), of Courthouse facilities listed (Attachment 2).
- 2.3 Building measurement to include both occupied and non-occupied interior space.
 - a. Judicial Council occupied space
 - b. County occupied space (the counties are separate entities from the Judicial Council, which is a state entity)
 - c. Common areas
 - d. Other

- 2.4 Space measurement is to be identified utilizing the Square Footage Breakdown Spreadsheet, (Attachment 3). List each space identification and corresponding square footage in the Square Footage Breakdown Spreadsheet. Space Identifications are as follows:

Judicial Council occupied	Storage rooms
County occupied	Stairways
Other Entity occupied	Stairwells
Common area for all Entities	Elevators
Kitchenettes	Sally Ports
Pantries	Holding Cells
Basements	Vestibules
Restrooms, excluding unisex	Tunnels
Unisex Restrooms	Electrical Shafts
Utility Rooms	Mechanical Shafts
Data Closets	Rooftop, space inside fenced areas only
Mechanical Rooms	Exterior Corridors
Porches	Balconies
Courtyards	Other

- 2.5 At no additional cost, produce space floor plans in original CAD file format and include conversion of CAD files into PDF files for each facility listed in (Attachment 2). Floor plans are to show the square footage and space identification of the occupying party or common area. Spaces are to be measured from inside wall to inside wall utilizing the Building Owners and Managers Association (BOMA) standard. Sally-ports are to be considered interior spaces.

3.0 TIMELINE FOR THIS RFP

The REFM has developed the following list of key events related to this RFP. All dates are subject to change at the discretion of REFM.

#	Event	Date
1.	Issuance of the RFP	March 3rd, 2017
2.	Deadline for Service Provider's requests for clarifications, modifications or questions regarding the RFP. Please submit questions on the Submittal of Questions Form (See Attachment 14). Email all questions to: Solicitations@jud.ca.gov	March 10th, 2017, 5:00 PM
3.	Questions and answers posted (<i>estimate only</i>)	March 17th, 2017

#	Event	Date
4.	<u>ADDRESS AND DEADLINE— Hard copy qualifications must be delivered to:</u> Judicial Council of California Attn.: Lenore Fraga – Roberts RFP # REFM-2016-16-BD 455 Golden Gate Avenue, 6th Floor San Francisco, CA 94102	<u>3 PM Pacific Time on April 3rd, 2017</u>
5.	Evaluation of Proposals (Estimate Only)	April 10th, 2017
6.	Interview of short Listed Vendors (estimate only)	April 13th, 2017
7.	Notice of Intent to Award on the Court website: http://www.courts.ca.gov/rfps.htm	April 17th, 2017 (Estimated)
8.	Full Performance Start Date	May 2017 (Estimated)

4.0 RFP ATTACHMENTS

The following attachments are included as part of this RFP:

1	Attachment 1: Standard Master Agreement	Standard Master Agreement including Exhibits A through F, and (Attachment 1), Square Footage Breakdown Spreadsheet. If selected, the person or entity submitting a response to the RFP must sign this Judicial Council Standard Master Agreement
2	Attachment 2: List of Judicial Council Properties by Address	This is a list of facilities where building measurement may be required.
3	Attachment 3: Sample Square Footage Breakdown Spreadsheet	This spreadsheet will be used to record square footage measurements.
4	Attachment 4: Judicial Council Regional Office Locations (Map)	This is a map of the State of California and identifies the four (4) Regions where work may be performed.
5	Attachment 5: Check Region Form	This form must be completed to identify the Regions where the vendor has proposed to provide services.
6	Attachment 6: Administrative Rules Governing RFPs (Non-IT Services)	These rules govern this solicitation.

7	Attachment 7: Proposer's Acceptance of Terms and Conditions Form	On this form, the Proposer must indicate acceptance of, or exceptions to, the Master Agreement Terms and Conditions.
8	Attachment 8: General Certifications Form	The Proposer must complete the General Certifications Form and submit the completed form with its proposal.
9	Attachment 9: Darfur Certification Form	The Proposer must complete the Darfur Contracting Act Certification and submit the completed certification with its proposal.
10	Attachment 10: Payee Data Record Form	This form contains information required in order to process payments and must be submitted with the proposal.
11	Attachment 11: DBVE Participation Form	The Proposer must complete this form and submit it with their proposal if Proposer wishes to qualify for the DVBE incentive.
12	Attachment 12: Bidder's Declaration Form	Complete this form only if the Proposer wishes to claim the DVBE incentive associated with this solicitation.
13	Attachment 13: Unruh Civil Rights Act & California Fair Employment & Housing Act Certification Form	Confirms that Proposer is in compliance with Unruh Civil Rights Act & California Fair Employment & Housing Act.
14	Attachment 14: Form for Submission of Questions	Complete this form if you want to submit questions pertaining to this RFP.

5.0 PAYMENT INFORMATION

5.1 The Judicial Council anticipates payment for work specified in this RFP to be based on a firm fixed rate per square foot for the measurement of interior building space.

5.2 The Cost Proposal for the work described herein shall be based on the following methods:

Firm Fixed Rate – Cost Per Square Foot

5.3 Proposers shall provide a firm-fixed rate per square foot for the work under consideration. The firm-fixed rate shall include the following at no additional cost:

a. Floor plans in original CAD files and PDF format file.

5.4 The firm fixed rate per square foot shall be fully burdened, and inclusive of all costs, labor, equipment, expenses, fees, overhead, and profits payable to the Contractor for services rendered to the Judicial Council, including

labor costs associated with overtime, weekend, and after hours work. Please provide a breakdown of the above costs.

- 5.5 Payment terms will be specified in the Standard Master Agreement that may be executed as a result of an award made under this RFP.

6.0 SUBMISSION OF QUESTIONS

The Judicial Council will answer questions submitted by proposers. All questions should be submitted by completing (Attachment 14), Submittal of Questions Form. All questions must be submitted to Solicitations@jud.ca.gov by the date identified in the timeline above.

7.0 SUBMISSION OF PROPOSALS

- 7.1 Proposals should provide straightforward, concise information that satisfies the requirements of the "Proposal Contents" section 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.
- 7.2 The Proposer must submit its proposal in two parts, including:
- a. **Part One:** A Technical Proposal , described below; and
 - b. **Part Two:** A separate Cost Proposal for each Region that the proposer is bidding on.
- 7.3. Technical Proposal: The Proposer must submit **one (1) original and two (2) copies** of the technical proposal.
- a. The original must be signed by an authorized representative of the Proposer.
 - b. The original technical proposal (and the copies thereof) must be submitted to the Judicial Council in a single sealed envelope, separate from the cost proposal.
 - c. The Proposer must write the RFP title and number on the outside of the sealed envelope as well as the vendor name.
- 7.4 Cost Proposal: A Cost Proposal must be submitted for each Region that the Proposer is bidding on. The Proposer must submit **one (1) original and two (2) copies** of the Cost Proposal for each Region where a proposal is being submitted.
- a. The original must be signed by an authorized representative of the Proposer.

- b. The original cost proposal (and the copies thereof) must be submitted to the Judicial Council in a single sealed envelope, separate from the technical proposal.
 - c. The Proposer must write the RFP title and number on the outside of the sealed envelope as well as the vendor name.
- 7.5 The Proposer must submit an electronic version of the entire proposal on CD-ROM or USB memory stick/flash drive. The files must be in PDF, Word, or Excel formats.
- 7.6 Proposals must be delivered by the date and time listed on the coversheet and the timeline of this RFP to:

Judicial Council of California
Attn: Lenore Fraga-Roberts, **REFM-2016-16-BD**
455 Golden Gate Avenue, 6th Floor
San Francisco, CA 94102

- 7.7 Late proposals will not be accepted. Any submittals received after the deadline will be rejected without review.
- 7.8 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.

8.0 PROPOSAL CONTENTS

- 8.1 Technical Proposal. The following information must be included in the technical proposal. A proposal lacking any of the following information may be deemed non-responsive.
- a. **Cover Letter:** Include a cover letter with your proposal. The cover letter must include the Proposer's name, address, telephone and fax numbers, and federal tax identification number. The Cover Letter must also include name, title, address, telephone number, and email address of the individual who will act as the Proposer's designated representative for purposes of this RFP. Limit the Cover Letter to one page. If the Proposer is a sole proprietor using his or her social security number, Judicial Council will require the social security number to finalize a contract.
 - b. **Regional Scope:** Include a description of the Proposer's ability and limitations to provide state-wide or regional services as indicated by resources and staffing. Limit the description to one page. See Judicial Council Regional Office Locations Map (Attachment 4) and List of Judicial Council Properties by Address (Attachment 2), to identify the four (4) Regions and the locations of the Courthouse Buildings where building

measurement services may be performed as a result of this solicitation. By selecting a Region, proposers agree to perform building measurement services at all properties listed within the selected Region.

- c. **Resume:** Include a resume for each key staff member describing the individual's background and experience, as well as the individual's ability and experience in conducting the proposed activities. Limit each resume to one page, and limit the total number of resumes to four (4).
- d. **References:** Provide contact names, addresses, and telephone numbers for a minimum of three (3) clients for whom the Proposer has conducted similar services. Ensure contact information is up-to-date. Include a brief description of the services provided to the clients. Limit the list to no more than one page. The Judicial Council may check references listed by the Proposer.
- e. **Acceptance of the Terms and Conditions:** On (Attachment 7), the Proposer must check the appropriate box and sign the form. If the Proposer marks the second box, it must provide the required additional materials. An "exception" includes any addition, deletion, or other modification.
 - i. If exceptions are identified, the Proposer must also submit (i) a red-lined version of the Terms and Conditions that implements all proposed changes, and (ii) a written explanation or rationale for each exception and/or proposed change explaining why the change benefits the Judicial Council.
- f. **Certifications, Attachments, and other requirements:** The Proposer must complete the General Certifications Form (Attachment 8) and submit the completed form with its proposal.
 - i. The Proposer must complete the Darfur Contracting Act Certification (Attachment 9) and submit the completed certification with its proposal.
 - ii. The Proposer must complete the Unruh Civil Rights Act & California Fair Employment & Housing Act Certification Form (Attachment 13) and submit the completed certification with its proposal.
 - iii. The Proposer must complete the Payee Data Record Form (Attachment 10). This form contains information required in order to process payments and must be submitted with the proposal.
 - iv. If Contractor is a California corporation, limited liability company ("LLC"), limited partnership ("LP"), or limited liability partnership ("LLP"), proof that Contractor is in good standing in California. If

Contractor is a foreign corporation, LLC, LP, or LLP, and Contractor conducts or will conduct (if awarded the contract) intrastate business in California, proof that Contractor is qualified to do business and in good standing in California. If Contractor is a foreign corporation, LLC, LP, or LLP, and Contractor does not (and will not if awarded the contract) conduct intrastate business in California, proof that Contractor is in good standing in its home jurisdiction.

- v. Copies of the Proposer's (and any subcontractors') current business licenses, professional certifications, or other credentials.

8.2 Cost Proposal. The following information must be included in the cost proposal. A Cost Proposal must be submitted for each Region where a proposal is being submitted.

- a. Cost Proposal: Proposers shall provide a firm-fixed rate per square foot for the services and work under consideration. The firm fixed rate amount per square foot of measurement shall be fully burdened, and inclusive of all costs, labor, equipment, expenses, fees, overhead, and profits payable to the Contractor for services rendered to the Judicial Council, including labor costs associated with overtime, weekend, and after hours work. Please provide a breakdown of the above costs.
- b. The firm-fixed rate for the work must include the following at no additional cost:
 - i. Floor plans in original CAD files and PDF format file.

9.0 OFFER PERIOD

A Proposer's proposal will be an irrevocable offer for ninety (90) days following the proposal due date. In the event a final contract has not been awarded within this period, the Judicial Council reserves the right to negotiate extensions to this period.

10.0 EVALUATION OF PROPOSALS

At the time proposals are opened, each proposal will be checked for the presence or absence of the required proposal contents.

The Judicial Council will evaluate the proposals on a 100 point scale using the criteria set forth in the table below. Award, if made, will be to the highest-scored proposals.

If a contract or contracts will be awarded, the JBE will post an intent to award notice to the RFP’s webpage at <http://www.courts.ca.gov/rfps.htm>

#	Criterion	Potential Points
1	Record demonstrating provision of high quality, accurate, and timely delivery of work similar to that contemplated in this solicitation.	20
2	Fully burdened firm fixed rate for the services and work under consideration.	30
3	Amount of experience similar to that required in this RFP during the past five (5) years in providing services for government agencies, institutions, and corporations. Background and experience of key staff in conducting the proposed activities.	28
4	Acceptance of the Judicial Council’s Standard Agreement Terms and Conditions.	20
5	(“DVBE”) Incentive Disabled Veterans Business Enterprise incentive is available to qualified proposers.	2

11.0 INTERVIEWS

The Judicial Council may conduct interviews with Proposers to clarify aspects set forth in their proposals or to assist in finalizing the ranking of top-ranked proposers. The interviews may be conducted in person or by phone. If conducted in person, interviews will likely be held at the Judicial Council’s offices, in Sacramento. The Judicial Council will not reimburse Proposers for any costs incurred in traveling to or from the interview location. The Judicial Council will notify eligible Proposers regarding interview arrangements.

12.0 CONFIDENTIAL OR PROPRIETARY INFORMATION

PROPOSALS ARE SUBJECT TO DISCLOSURE PURSUANT TO APPLICABLE PROVISIONS OF THE CALIFORNIA PUBLIC CONTRACT CODE AND RULE 10.500 OF THE CALIFORNIA RULES OF COURT. The Judicial Council will not disclose (i) social security numbers, or (ii) balance sheets or income statements submitted by a Proposer that is not a publicly-traded corporation. All other information in proposals will be disclosed in response to applicable public records requests. Such disclosure will be made regardless of

whether the proposal (or portions thereof) is marked “confidential,” “proprietary,” or otherwise, and regardless of any statement in the proposal (a) purporting to limit the Judicial Council’s right to disclose information in the proposal, or (b) requiring the Judicial Council to inform or obtain the consent of the Proposer prior to the disclosure of the proposal (or portions thereof). Any proposal that is password protected, or contains portions that are password protected, may be rejected. Proposers are accordingly cautioned not to include confidential, proprietary, or privileged information in proposals.

13.0 DISABLED VETERAN BUSINESS ENTERPRISE INCENTIVE

Qualification for the DVBE incentive is not mandatory. Failure to qualify for the DVBE incentive will not render a proposal non-responsive.

- 13.1 Eligibility for and application of the DVBE incentive is governed by the Judicial Council’s DVBE Rules and Procedures. Proposer will receive a DVBE incentive if, in the Judicial Council’s sole determination, Proposer has met all applicable requirements. If Proposer receives the DVBE incentive, a number of points will be added to the score assigned to Proposer’s proposal.
- 13.2 To receive the DVBE incentive, at least 3% of the contract goods and/or services must be provided by a DVBE performing a commercially useful function. Or, for solicitations of non-IT goods and IT goods and services, Proposer may have an approved Business Utilization Plan (“BUP”) on file with the California Department of General Services (“DGS”).
- 13.3 If Proposer wishes to seek the DVBE incentive, Proposer must submit with its proposal a DVBE Participation Form, (Attachment 11) completed and signed by each DVBE that will provide goods and/or services in connection with the Master Service Agreement. If Proposer is itself a DVBE, it must complete and sign the DVBE Declaration. If Proposer will use DVBE Subcontractors, each DVBE Subcontractor must complete and sign a DVBE Declaration. NOTE: The DVBE Declaration is not required if Proposer will qualify for the DVBE incentive using a BUP on file with DGS.
- 13.4 Proposer must complete and submit with its proposal the Bidder’s Declaration (Attachment 12). Proposer must submit with the Bidder Declaration all materials required in the Bidder Declaration.

FRAUDULENT MISREPRESENTATION IN CONNECTION WITH THE DVBE INCENTIVE IS A MISDEMEANOR AND IS PUNISHABLE BY IMPRISONMENT

OR FINE, AND VIOLATORS ARE LIABLE FOR CIVIL PENALTIES. SEE MVC 999.9.

14.0 PROTESTS

Regardless of whether or not the work contemplated under this solicitation falls under the Judicial Branch Contracting Manual (JBCM), any protests will be handled in accordance with Chapter 7 of the JBCM (see www.courts.ca.gov/documents/jbcl-manual.pdf). Failure of a Proposer to comply with the protest procedures set forth in that chapter will render a protest inadequate and non-responsive, and will result in rejection of the protest. The deadline for the Judicial Council to receive a solicitation specifications protest is: the proposal due date, April 3rd, **2017, 3:00 p.m.** Pacific Time. The deadline for the Judicial Council to receive an award protest is within five (5) Court Days after the Notice of Intent to Award is posted on the Court website, (see section 3.0 Timeline for RFP, for approximate dates).

Protests must be sent to:

Judicial Council – Branch Accounting and Procurement
ATTN: Manager, Contracts, RFP# REFM-2016-16-BD
455 Golden Gate Avenue, 6th Floor
San Francisco, CA 94102