



Request for Proposals (RFP) for ID/IQ Environmental Consulting for California Environmental Quality Act (CEQA) Related Services

The Judicial Council of California seeks proposals from firms qualified to provide environmental consulting for CEQA-related services for various projects to be initiated between July 1, 2022, and June 30, 2027, with possible extensions to June 30, 2029.

Regarding:

RFP NUMBER: RFP-FS-2021-24-AL

Proposals Due:

TUESDAY, APRIL 14, 2022

NO LATER THAN 5:00 PM PACIFIC TIME



Judicial Council of California

ADMINISTRATIVE DIVISION
455 Golden Gate Avenue • San Francisco, California 94102-3688
Telephone 415-865-4200 • Fax 415-865-4205 • TDD 415-865-4272

REQUEST FOR PROPOSALS

Date	Action Requested
March 16, 2022	Send To:
To	Temporarily via e-mail as described in the Procurement Schedule section 4.1:
Environmental Consulting Firms	
From	For Non-Cost Proposal email to fs202124al.SOO@jud.ca.gov
Judicial Council of California, Facilities Services	
Subject	For Cost Proposal email to fs202124al.COST@jud.ca.gov
RFP number: RFP-FS-2021-24-AL	
Environmental Consulting for CEQA-related Services	
Contact	Deadline
solicitations@jud.ca.gov	April 14, 2022, by 5:00 PM Pacific Time (PT)

TABLE OF CONTENTS

1. INTRODUCTION
2. PURPOSE OF THIS RFP
3. SCOPE OF SERVICES
4. PROCUREMENT SCHEDULE AND QUESTIONS
5. RESPONDING TO THIS RFP
6. SELECTION PROCESS
7. EVALUATION OF PROPOSALS
8. ADDITIONAL REQUIREMENTS
9. CONTRACT TERMS AND ADMINISTRATIVE RULES
10. DISABLED VETERAN BUSINESS ENTERPRISE INCENTIVE
11. ADMINISTRATIVE RULES GOVERNING RFPs

APPENDIX A – ADMINISTRATIVE RULES GOVERNING REQUESTS FOR PROPOSALS

APPENDIX B – JUDICIAL COUNCIL OF CALIFORNIA STANDARD AGREEMENT

APPENDIX C – JUDICIAL COUNCIL OF CALIFORNIA REGIONAL MAP

EXHIBIT 1 – QUALIFICATIONS QUESTIONNAIRE

EXHIBIT 2 – COST PROPOSAL

EXHIBIT 3 – PROPOSER'S SUBMISSION OF QUESTIONS

ATTACHMENT 1 – PROPOSER'S ACCEPTANCE OF TERMS AND CONDITIONS

ATTACHMENT 2 – GENERAL CERTIFICATIONS FORM

ATTACHMENT 3 – DARFUR CONTRACTING ACT CERTIFICATION

ATTACHMENT 4 – IRAN CONTRACTING ACT CERTIFICATION

ATTACHMENT 5 – UNRUH CIVIL RIGHTS ACT AND CALIFORNIA FEHA CERTIFICATION

ATTACHMENT STD 204 – PAYEE DATA RECORD

ATTACHMENT STD 205 – PAYEE DATA RECORD SUPPLEMENT

1. INTRODUCTION

- 1.1 The judicial branch of California is a part of 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. The Facilities Services office is the division of the Judicial Council responsible for the planning, design, construction, and real estate and asset management of facilities for the court system of California.
- 1.2 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. The Judicial Council’s Facilities Services office oversees a comprehensive infrastructure program for court facilities. Through this program, the Judicial Council constructs new court facilities to replace existing courthouses when needed. The Judicial Council currently has 13 active Capital projects and two studies underway. The Judicial Council anticipates approval for approximately 35 Capital construction projects over the next five years with a construction value of approximately \$3,000,000,000 anticipated to require the services requested by this RFP. In addition to Capital construction, the Judicial Council may require technical studies on its facility modifications to ensure CEQA compliance is appropriately addressed. Many of these approximately 470 existing facilities require repairs or modifications, and approximately 600 facility modifications are completed per year.
- 1.3 The Judicial Council plans and constructs new facilities and demolishes old structures and it also maintains numerous existing Judicial Branch facilities throughout California for the California Supreme Court, California Appellate Courts, and Superior Courts of California, and the Judicial Council. The Environmental Health & Safety (EHS) unit of the Judicial Council’s Facilities Services Office are issuing this Request for Proposals (RFP) to identify qualified consultants to provide services for existing or new Judicial Branch facilities.

2. PURPOSE OF THIS RFP

- 2.1 **Consultants.** The Judicial Council seeks proposals from firms to provide the services of qualified, properly licensed consultants with expertise in all phases of CEQA compliance of the construction and renovation of public buildings (“Proposals”). It is anticipated that selected firms will provide environmental consulting for California Environmental Quality Act (CEQA) related services. Prospective firms for the purpose of this RFP will be referred to as “Consultants.” Consultants will be evaluated and selected to provide services throughout the State. A map of the three regions of the Judicial Council (Bay Area/North Coastal, Northern/Central, and Southern regions) is included in this RFP as Appendix C.
- 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 the environmental consulting services for existing and new facilities, 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 (each a “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 qualified Consultants.

- 2.2.1 Posted with this RFP is the Judicial Council’s form of Standard Agreement (Appendix B), including the indemnification provision that the Judicial Council will include in that agreement, which the Judicial Council will utilize on the individual projects. In accordance with the Judicial Council’s Administrative Rules Governing this RFP, attached hereto and incorporated herein as Appendix A, please indicate in Consultant’s Proposal if it has any comments or objections to the form of agreement; **PLEASE NOTE**: the Judicial Council does not intend to consider any substantive changes to the form of agreement if they are not submitted at or before this time. See section 6.1.16, Acceptance of Terms and Conditions, for further information and direction.
- 2.3 **Licensing.** All Consultants, and subconsultant(s), employees or agents thereof, performing work per agreements awarded under this RFP must have, 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 Professional Consulting Engineer, Professional Geologist, Engineering Geologist, or Professional Architect 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 under the direct supervision of an appropriately licensed individual.
- 2.4 **Prevailing Wages.** All Consultants and subconsultant(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 subconsultant(s) thereof shall comply with the registration and qualification requirements pursuant to sections 1725.5 and 1771.1 of the California Labor Code.
- 2.5 **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 make efforts to award a fair share of the work to each of the Consultants based on their Project Proposals, specific expertise, knowledge of and involvement with specific systems and/or facilities,

prior performance on this contract, and those other factors that the Judicial Council may deem pertinent for the work.

- 2.6 **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, safety, 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.
- 2.7 **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 on that same Project under any separate contract or agreement the Consultant may have with the Judicial Council.
- 2.8 **Sole Means.** This RFP is the sole means for prospective Consultants to submit their qualifications to the Judicial Council for the ID/IQ services for existing and new facilities Projects, as described above.

3. SCOPE OF SERVICES

- 3.1 **Consultant Services.** The scope of services requested under agreements awarded under this RFP include professional consultant services of an environmental nature as well as incidental services that members of those professions and those in their employ may logically or justifiably perform, such as environmental consulting for CEQA-related services ("Services").
- 3.2 **Additional Services.** Additional Services as required may include the following:
 - 3.2.1 Prepare CEQA compliance documentation (such as Initial Study, Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report) including necessary research and analyses, preparation of studies, support for consultations and negotiations, technical services, and other necessary activities.
 - 3.2.2 Conduct monitoring and mitigation activities and prepare evaluations of Judicial Branch facilities and sites for air quality, archaeological, biological, cultural, noise, paleontological, traffic, water, and other resources.
 - 3.2.3 Conduct site visits to identify issues and collect data related to environmental concerns.
 - 3.2.4 Conduct activities to acquire permits, registrations, or approvals (including compliance plans for notices to comply or notices of violation) from federal, State of California, or other entities for air quality, botanical, cultural resources, noise, traffic, zoological, and other resources.
 - 3.2.5 Conduct evaluations of CEQA-related issues, make recommendations for CEQA compliance, and prepare other technical studies related to CEQA compliance or federal, State, or local codes and regulations.

- 3.2.6 Provide technical experts, including, but not limited to arborists, archaeologists, biologists, and paleontologists to provide professional assessments of conditions related to ongoing and future projects.
- 3.2.7 Assist in Tribal engagement, consultation, and monitoring processes.
- 3.2.8 Assist with selection of contractors and subcontractors to conduct environmental work and provide review and recommendations on the reports, documentation and work outputs that are provided by entities.
- 3.2.9 Utilize the Judicial Council’s facilities management software for work engagement, status, and closeout.
- 3.2.10 Document Judicial Council project-specific processes, best practices, or areas of improvements and meet with Judicial Council Risk Management and Project Management staff to review.
- 3.2.11 Represent the Judicial Council’s interest in meetings with environmental regulatory agencies and others.

4. PROCUREMENT SCHEDULE AND QUESTIONS

4.1 The Judicial Council has developed the following list of key events from RFP issuance through performance start date (“Procurement Schedule”). All deadlines are subject to change at the Judicial Council’s discretion.

No.	Event	Key Date / Time (PT)
1	RFP Issued	Wednesday, March 16, 2022
2	Pre-proposal Conference (<i>optional</i>) via Cisco Webex: Meeting number (access code): 2599 025 5520 Meeting password: xRa64R8W8n3 Meeting link: https://calcourts.webex.com/calcourts/j.php?MTID=md2c6713c7977bf093f08dacab795cb53	Wednesday, March 23, 2022, at 10:30 AM
3	Deadline for Consultants’ Requests for Clarifications, Modifications, or Questions sent to: Solicitations@jud.ca.gov	Wednesday, March 30, 2022, by 5:00 PM
4	Clarifications, Modifications, and/or Answers to Questions posted on the Judicial Council Website	Thursday, April 7, 2022
5	Proposal Due Date and Time	Thursday, April 14, 2022, by 5:00 PM Pacific Time
6	Oral Presentations / Interviews (<i>Estimated</i>)	Thursday, May 5, 2022
7	Notice of Intent to Award (<i>Estimated</i>)	Monday, May 9, 2022
8	Notice of Award (<i>Estimated</i>)	Tuesday, June 28, 2022
9	Full Performance Start Date (<i>Estimated</i>)	Friday, July 1, 2022

4.2 **Pre-Proposal Conference.** A pre-proposal conference will be held to answer questions with regards to this RFP. This conference is not mandatory to submit a Proposal, however Proposers are strongly encouraged to attend. The pre-proposal conference will be held

on the date identified in the Procurement Schedule of this RFP via video platform (Cisco Webex) and can be attended using the information below:

Meeting number (access code): 2599 025 5520

Meeting password: xRa64R8W8n3

Meeting link:

<https://calcourts.webex.com/calcourts/j.php?MTID=md2c6713c7977bf093f08dacab795cb53>

- 4.3 **Written Questions.** Proposers may submit written questions using Exhibit 3. Such questions must be submitted on or before the due date specified for submission of questions listed in the Procurement Schedule of this RFP. If the Judicial Council deems it necessary in response to the questions submitted, changes may be made to this RFP and an updated version will be posted to the RFP web posting prior to the due date for Proposals via addendum. Written questions must be submitted by e-mail to Solicitations@jud.ca.gov with the RFP number and title in the subject line.

5. RESPONDING TO THIS RFP

- 5.1 Responsive Proposals will provide straightforward, concise information that satisfies the 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.
- 5.2 **Proposal Format.** The Judicial Council will only accept proposals in an electronic format. See section 5.3 below for instructions on submitting proposals electronically. The Proposer must submit its proposal in two parts, the non-cost (technical) portion and the cost portion.
- 5.2.1 **NON-COST PROPOSAL:** The Proposer must submit one (1) electronic file of the non-cost proposal using PDF or Word format. The non-cost portion of the proposal must be submitted to the Judicial Council in an electronic file, separate from the cost portion. The Proposer must include the RFP number and 'SOQ' in the name of the electronic file. If applicable, a second electronic file in Word format may be submitted for a redlined version of the Standard Agreement. See section 6.1.16.
- 5.2.2 **COST PROPOSAL:** The Proposer must submit one (1) electronic file of the cost proposal using Word format. The cost portion of the proposal must be submitted to the Judicial Council in an electronic file, separate from the non-cost portion. The Proposer must include the RFP number and 'COST' in the name of the electronic file.
- 5.3 **Method of Submission.** Only electronically submitted proposals will be accepted. Proposals must be delivered by the date and time listed on the coversheet of this RFP but no more than three (3) days in advance of the proposal due date to the following e-mail addresses:

For Non-Cost Proposal e-mail to: fs202124al.SOQ@jud.ca.gov

For Cost Proposal e-mail to: fs202124al.COST@jud.ca.gov

Note: Indicate the RFP number and name of Proposer's organization in the subject line of the e-mails.

5.4 **Submission Timelines.** Late proposals will not be accepted.

6. PROPOSAL CONTENTS

6.1 **Non-Cost Proposal.** The following information must be included in the non-cost proposal. A proposal lacking any of the following information may be deemed non-responsive. Proposals shall be inclusive of résumés, forms, and pictures, and organized according to the numbering system reflected below.

6.1.1 **Cover Letter:** A cover letter, signed by an authorized representative of Proposer's organization, that provides the exact business name under which you propose to conduct business with the Judicial Council, and Proposer's address, telephone, fax number, e-mail address, and federal tax identification number. The cover letter must state that the Standard Agreement posted with this RFP is completely acceptable to the Consultant as posted except as otherwise specifically indicated, pursuant to section 6.1.16, Acceptance of the Terms and Conditions, of this RFP.

6.1.2 **Table of Contents:** A table of contents of the material contained in the Proposal should follow the cover letter.

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

6.1.4 **Prequalification Questionnaire:** All Consultants submitting a Proposal shall also submit a completed Qualification Questionnaire with its Proposal, the form of which is attached hereto as Exhibit 1.

- i. Consultants must update their Qualification Questionnaire if Consultant's status or information changes.
- ii. A Consultant's Qualification Questionnaire shall 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.).

6.1.5 **Proposed Personnel/Project Team:**

- i. Identify the key personnel that Consultant would assign to the Project(s), including their roles. For each, describe his or her experience with public works projects, including identifying the ten (10) most recent of those projects. List license numbers and dates issued. Include an organizational chart indicating all personnel and their positions.
- ii. Include resumes of key personnel who may be performing Services for the Judicial Council. Specifically, define the role of each person and outline his or her 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.

- 6.1.6 **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.
- 6.1.7 **Reference Checks.** The Consultant shall provide three (3) client references that must be from recently completed projects. Please include the following with each client reference: name of entity/firm, contact person, their phone number/e-mail, project title, location, and start/end dates. The Judicial Council will contact the references provided to conduct a customer satisfaction survey. Responding clients will be asked to score the following: Consultant's quality of work, scheduling practices, project and subcontractor 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 8.2.
- 6.1.8 **Consultant Information:**
- i. 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.
 - ii. Provide Consultant's current contact information and e-mail address to send Consultant notifications hereunder.
 - iii. Describe Consultant's philosophy and how Consultant will work with the Judicial Council staff in performing the Services.
 - iv. Provide a statement of Consultant's financial resources and insurance coverage. Include a certification of correctness of Consultant's statement of financial resources.
 - v. 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).
- 6.1.9 **Prior Relevant Experience:**
- i. Describe Consultant's experience with the CEQA statute and guidelines.
 - ii. Provide a list of ALL California public entities for which Consultant has provided the same or similar Services to in the past five (5) years. Limit responses to no more than the three (3) 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.

- 6.1.10 **Approach to Project Management:** Provide Consultant’s philosophy and approach to project management.
- 6.1.11 **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.
- 6.1.12 **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 Project, or the Judicial Council that may have a 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 the 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.
- 6.1.13 **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.
- 6.1.14 **Delinquent Taxpayer Status:** Provide a written and certified document identifying whether or not the Prime Proposer (or Prime Proposers if a joint venture) organization 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>)
- 6.1.15 **DVBE Certification:** If Consultant intends to seek the Disabled Veteran Business Enterprise (DVBE) incentive pursuant to section 11 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.
- 6.1.16 **Acceptance of the Terms and Conditions:** On Attachment 1, the Consultant must check the appropriate box and sign the form. If the Consultant marks the second box, it must provide the required additional materials. An “exception” includes any addition, deletion, or other modification. If exceptions are identified, the Consultant must also submit (i) a redlined version of the Standard Agreement that implements all proposed changes in Word format with tracked changes, and (ii) a written explanation and rationale for each exception and/or proposed change explaining why the change is necessary. **PLEASE NOTE: The Judicial Council will not consider any changes to the Contract if they are not**

submitted at or before the time the Proposal is due. By submitting its Proposal, the Consultant acknowledges that it has no objection to the form of Agreement unless exceptions are identified as required herein.

6.1.17 Certifications, Attachments, and Other Required Materials: The Proposer is required to complete and sign the following Certifications and attachments and submit signed forms with its Proposal:

- i. General Certifications Form (Attachment 2)
- ii. Darfur Contracting Act Certification (Attachment 3)
- iii. Iran Contracting Act Certification (Attachment 4)
- iv. Unruh Civil Rights Act and California Fair Employment and Housing Act Certification (Attachment 5)
- v. Payee Data Record (Attachment STD 204). This form must be completed in the exact name of the business entity under which you propose to do business with the Judicial Council. The Payee Data Record Supplement (Attachment STD 205) is optional (only if remittance address information is different than the mailing address on the STD 204, for multiple remittance addresses, or additional Authorized Representatives of the Payee not identified on the STD 204).
- vi. 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.
- vii. Department of Industrial Relations (DIR) public works registration is required for this Project. Proposer must list its current DIR public works registration number. Proposals without a current DIR public works registration number will not be accepted.

6.2 Cost Proposal. The Proposer is required to complete and include Exhibit 2, Cost Proposal. Provide the hourly rates Consultant proposes to charge for all services. Rates must be fully loaded and include Overhead and Profit. Do not change or edit this form.

6.2.1 Additional job titles utilized by the Consultant in the performance of the services of this RFP and associated hourly rates Consultant proposes to charge should be listed separately from the Exhibit 2 and included with the submission of Consultant’s Cost Proposal. Additional job titles and hourly rates will not be used for evaluation purposes however they will be included in any resulting Agreement.

7. SELECTION PROCESS

- 7.1 An evaluation panel composed of predominantly Judicial Council staff will review and score the Proposals, based on the selection criteria given in this RFP, and establish a shortlist of the qualified Consultants with the highest scoring Proposals. Judicial Council will post the shortlist on the website publishing this RFP.
- 7.2 The Judicial Council may, at its discretion, hold interviews of the Consultants that have been shortlisted. Consultants on the shortlist will be notified of their interview time and place. Notifications will be made via e-mail. Interviews will be held remotely via video conference (Cisco Webex). If the Judicial Council chooses not to hold interviews, the names of the selected Consultants will be posted on the website posting for this RFP.
- 7.3 After the interviews, if any, the ranking of the Consultants according to the selection criteria will be adjusted and the highest-scoring Consultants will be contacted regarding contract execution. The names of the selected Consultants will be posted on the website posting for this RFP.
- 7.4 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 subconsultants.

8. EVALUATION OF PROPOSALS

- 8.1 At the time proposals are opened, each proposal will be reviewed for minimum requirements and the presence or absence of the required proposal contents.
- 8.2 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
NON-COST PROPOSAL:		
10	1. Project Team Expertise with Public Projects Project team’s demonstrated experience with public works projects, including roles, individual experience and responsibilities, and demonstrated ability to work with Judicial Council staff in performing the Services.	
15	2. Statement of Services Consultant’s demonstrated understanding of what is required to complete the Services described in this RFP (See Section 3.2, Additional Services).	
10	3. Reference Evaluation The Judicial Council will contact three (3) references provided by the Consultant to evaluate previous client satisfaction. See section 6.1.7, Reference Checks, for additional details.	
5	4. Consultant Information Consultant’s history, including number of years in business and types of business conducted.	

Points	Criteria	100 points maximum
10	5. Consultant’s Prior Relevant Experience Past five years of relevant experience of the prospective Consultant in the development of quality solutions for CEQA projects.	
15	6. Approach Consultant’s approach towards CEQA project management.	
5	7. DVBE Incentive Consultant will receive the DVBE incentive upon certification of its status as a DVBE, pursuant to section 11; note that the DVBE incentive will only be awarded if the Consultant itself is a DVBE.	
COST PROPOSAL:		
30	8. Hourly Rates Hourly rates for the consultant services requested by this RFP, as provided in Exhibit 2. The basis of the evaluation and subsequent award of points for the billing rates which shall serve as the Cost Proposal shall be a blended hourly rate of the job titles listed in Exhibit 2. The blended hourly rate will be determined by multiplying the proposed hourly rate for each job title by the designated weight factor and summing the resulting weighted hourly rates. The lowest Cost Proposal (blended hourly rate) submitted will receive the maximum points available. The points awarded for the remaining cost proposals will be calculated by identifying the ratio of the lowest cost proposal to the cost proposal being evaluated and multiplying that ratio by the maximum number of points available.	

8.3 Before the Proposal due date and time listed in the Procurement Schedule of this RFP, the Judicial Council may cancel the RFP for any or no reason. After the Proposal due date and time listed in the Procurement Schedule of this RFP, the Judicial Council may reject all Proposals and cancel the RFP if the Judicial Council determines that: (i) the Proposals received do not reflect effective competition; (ii) the cost is not reasonable; (iii) the cost exceeds the amount expected; or (iv) awarding the contract is not in the best interest of the Judicial Council.

8.4 A Proposer may be disqualified at any time for failure to meeting minimum requirements, including, but not limited to, required licenses, certifications, current registration with Department of Industrial Relations, etc., regardless of overall scoring.

9. ADDITIONAL REQUIREMENTS

9.1 Incomplete proposals will be rejected without review. Proposals received after the deadline date and time set forth in the schedule below will be rejected without review.

9.2 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 utilize your e-mail provider’s delivery receipt and/or read receipt options.

9.3 This RFP process and RFP schedule are subject to change at any time. Changes will be posted to the RFP website (<http://www.courts.ca.gov/rfps.htm>), and no other notifications of changes will be provided. Prospective participants are urged to consult the website in a timely manner throughout the duration of the proposal, evaluation, and award processes to remain apprised of any changes. Staying abreast of changes regarding

this RFP is the sole responsibility of the Proposer. The Judicial Council will not address individual parties directly during this RFP's solicitation period.

10. CONTRACT TERMS AND ADMINISTRATIVE RULES

- 10.1 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.
- 10.2 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, estimated to begin July 1, 2022. Two (2) subsequent one (1)-year extensions may be offered at the discretion of the Judicial Council. Note that during subsequent terms, if any, rates may 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.
- 10.3 If a satisfactory contractual agreement has not been signed within 30 calendar days of provision of a contract draft, the Judicial Council reserves the right to terminate the award.
- 10.4 The Consultant 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.
- 10.5 **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 subcontractors.
- 10.6 **Compensation.** The method of compensation will vary on a Service Work Order-by-Service Work Order basis. See the Standard Agreement posted with this RFP for details.

11. DISABLED VETERAN BUSINESS ENTERPRISE INCENTIVE

- 11.1 The Judicial Council has a Disabled Veterans Business Enterprise (DVBE) program with a total participation goal of three percent (3%).
- 11.2 Qualification for the DVBE incentive is not mandatory. Failure to qualify for the DVBE incentive will not render a Proposal non-responsive.
- 11.3 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 8.2 above.

- 11.4 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 subconsultants, are not eligible for the DVBE incentive.

12. ADMINISTRATIVE RULES GOVERNING RFPs

- 12.1 The Judicial Council's Administrative Rules governing this RFP can be found in Appendix A. By virtue of submission of a Proposal, the Consultant agrees to be bound by said Administrative Rules.
- 12.2 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 becomes a public record.