

# Request for Proposal

## **CONSTRUCTION MANAGEMENT SERVICES**

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**NEW LAKEPORT COURTHOUSE**

**SUPERIOR COURT OF CALIFORNIA COUNTY OF LAKE**

**The Judicial Council of California seeks Proposals from qualified firms to provide professional Construction Management services for the New Lakeport Courthouse**

Regarding:  
RFP NUMBER: RFP-FS-2021-25-AL



**JUDICIAL COUNCIL  
OF CALIFORNIA**

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**Facilities Services  
Capital Outlay Program**



## JUDICIAL COUNCIL OF CALIFORNIA

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### REQUEST FOR PROPOSALS

<b>Date</b>	March 16, 2022	<b>Action Requested</b>	Send To: Temporarily via email as described in item 5 of RFP Schedule of Events: Judicial Council of California, BAP Attn: Sheryl Berry <a href="mailto:fs202125al.soq@jud.ca.gov">fs202125al.soq@jud.ca.gov</a> for SOQ <a href="mailto:fs202125al.cost@jud.ca.gov">fs202125al.cost@jud.ca.gov</a> for cost proposal
<b>To</b>	Construction Management Firms	<b>Deadline</b>	April 6, 2022, by 5:00 PM Pacific Time (PT)
<b>From</b>	Judicial Council of California, Facilities Services	<b>Contact</b>	<a href="mailto:solicitations@jud.ca.gov">solicitations@jud.ca.gov</a>
<b>Subject</b>	RFP number: RFP-FS-2021-25-AL Construction Management Services New Lakeport Courthouse		

RFP SCHEDULE OF EVENTS (Subject to change at the Judicial Council's discretion)		DATES / TIMES (PT)
1	Branch Accounting & Procurement to advertise RFP.	Wednesday, March 16, 2022
2	Pre-proposal meeting (optional) via video conference (Cisco Webex): Meeting number: 2597 074 6560 Meeting passcode: 8dXNsrwcj45 Join by phone: 1-650-479-3208 Call-in toll number (US/Canada) Meeting link: <a href="https://calcourts.webex.com/calcourts/j.php?MTID=me202b50476e9ddd2812ad7259ff06ab8">https://calcourts.webex.com/calcourts/j.php?MTID=me202b50476e9ddd2812ad7259ff06ab8</a>	Wednesday, March 23, 2022, at 10:00 AM
3	Deadline for submittal of Firm's requests for clarifications or questions regarding the RFP. Send to: <a href="mailto:Solicitations@jud.ca.gov">Solicitations@jud.ca.gov</a> Refer to Attachment 11.	Thursday, March 24, 2022, by 5:00 PM
4	Modifications and/or responses to questions posted on the Judicial Council website: <a href="http://www.courts.ca.gov/rfps.htm">http://www.courts.ca.gov/rfps.htm</a>	Tuesday, March 29, 2022
5	<b>Submittal Deadline for Proposals</b> Email Statement of Qualifications (SOQ) to: <a href="mailto:fs202125al.soq@jud.ca.gov">fs202125al.soq@jud.ca.gov</a> Email Cost Proposal to: <a href="mailto:fs202125al.cost@jud.ca.gov">fs202125al.cost@jud.ca.gov</a>	Wednesday, April 6, 2022, by 5:00 PM
6	Notification of Interviews date and time – Interviews will be held remotely via video conference. Notifications will be made via email.	Tuesday, April 12, 2022
7	Interviews of Firms - Times to be determined.	Friday, April 15, 2022
8	Notice of Intent to Award (Estimated).	Tuesday, April 19, 2022
9	Execute Agreement (Estimated).	Wednesday, June 8, 2022
10	Contract start date (Estimated).	Wednesday, June 8, 2022

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**ATTACHMENTS:**

- ATTACHMENT 1, Administrative Rules Governing RFPs (Non-IT Services)**
- ATTACHMENT 2, Standard Agreement (for Construction Management Services)**
- ATTACHMENT 3, Cost Proposal – Consultant Personnel Billing Rates**
- ATTACHMENT 4, Firm’s Acceptance of Terms and Conditions**
- ATTACHMENT 5, General Certifications Form**
- ATTACHMENT 6, DIR Contractor Registration Statement**
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- ATTACHMENT 9A, Payee Data Record Form**
- ATTACHMENT 9B, Payee Data Record Supplement**
- ATTACHMENT 10, DVBE Participation Form**
- ATTACHMENT 11, Form for Submission of Questions**
- ATTACHMENT 12, Iran Contracting Certification [for solicitations of \$1,000,000 or more]**
- ATTACHMENT 13, Unruh Civil Rights Act and California Fair Employment and Housing Act Certification [for solicitations of \$100,000 or more]**
- ATTACHMENT 14, Judicial Council Standard CMA Staffing Plan**
- ATTACHMENT 15, Cultural Preservation Agreement**
- ATTACHMENT 16, Performance Criteria Documents**  
**Attachment 16 Support Documents A.1 and A.3 through A.10**

## 1. INTRODUCTION

- 1.1. **Introduction.** The Judicial Council of California (“Judicial Council”), chaired by the Chief Justice of California, is the primary policy making body of the California judicial system. The Judicial Council is responsible for the planning, design, and construction of court facilities for the Superior and Appellate Courts of California (“Capital Outlay Program”).
- 1.2. **Purpose of Request for Proposal.** The Judicial Council, through this Request for Proposal for construction management Services (the “RFP”) is soliciting proposals as set forth below (“Proposal(s)”) from qualified firms, partnerships, corporations, associations, persons, or professional organizations (“Firm(s)”) to provide construction management services to oversee, manage and administer the planning, design, and construction of the New Lakeport Courthouse Project utilizing the design-build delivery method (“Project”). The selected Firm shall be an architect, a registered professional engineer, or a general contractor licensed in California. All work shall be performed under and approved by a licensed professional. A Firm’s personnel shall include all disciplines necessary to effectively perform services for the Project and shall have experience managing public works projects of similar size, complexity, and nature utilizing alternative delivery methods. The selected Firm shall perform all or a portion of the Services as set forth in this RFP
- 1.3. **Services.** The detailed scope of services, tasks, and work that the selected Firm will be required to perform are set forth in Exhibit B to the Judicial Council’s Standard Agreement attached hereto as Attachment 2 (“Agreement”) and incorporated herein by reference (“Services”). Firms must be technically and financially capable of providing all the Services identified for the Project. The selected Firm shall be the Judicial Council's representative and shall work under the direction of a Judicial Council Project Manager.

## 2. LABOR COMPLIANCE

- 2.1. **Prevailing Wage.** To the extent applicable, the Construction Manager and all Subconsultants under the Construction Manager shall pay all workers on Work performed pursuant to this Agreement 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. Copies of the general prevailing rates of per diem wages for each craft, classification, or type of worker needed to execute the Agreement, as determined by Director of the State of California Department of Industrial Relations, are on file at the Judicial Council’s principal office. Prevailing wage rates are also available on the internet at <http://www.dir.ca.gov>.
- 2.2. **Prevailing Wage Compliance Monitoring.** The Project is subject to compliance monitoring and enforcement by the Department of Industrial Relations. To the extent prevailing wages are required for the Construction Manager’s work, the Construction Manager shall post job site notices, as prescribed by regulation and shall comply with all requirements of Labor Code section 1771.4, except the requirements that are exempted by the Labor Commissioner for the Project.
- 2.3. **Contractor Registration.** To the extent any component of Construction Manager’s work shall require the payment of prevailing wages, Construction Manager shall comply with the registration and compliance monitoring provisions of Labor Code section 1771.4, including furnishing its certified payroll records (“CPR(s)”) to the Labor Commissioner of California and complying with any applicable enforcement by the Department of Industrial Relations (“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.”

### 3. PROJECT INFORMATION

- 3.1. **Project Description.** The Project involves the design and construction of the New Lakeport Courthouse utilizing the design-build delivery method on a Judicial Council-owned site in Lakeport, CA (the “Site”). The Project requires the design and construction of a new four-courtroom courthouse, with approximately two floors (plus a basement) covering 46,000 square feet and includes secured parking for judicial officers and 130 spaces for surface parking with solar power generation capability. Additionally, the Project includes public lobby, security screening, four courtrooms, chambers and courtroom support, clerk's office, self-help area, administration, jury services, central in-custody holding, and building support services.

The Site is approximately 5.74 acres, located at 675 Lakeport Boulevard, and bounded by Lakeport Boulevard on the north, commercial properties on the east and south, and a visitor center vista point on the west.

A target guaranteed maximum price for the Project has been set at \$62,438,600 (“Target GMP”). The Judicial Council and the selected design-build-entity (“DBE”) shall finalize a Guaranteed Maximum Price (“GMP”) to complete design and build the Project at the completion of the Design Development Phase of the Project.

The project is currently authorized for the Criteria Phase. The Judicial Council anticipates selecting a Firm(s) to provide construction management services for all phases of the Project. The Judicial Council shall issue a notice(s) to proceed to the Construction Manager for each Project phase as the Judicial Council receives authority to commence such phase.

The Design Build Criteria Documents prepared by Moore Ruble Yudell, dated March 4, 2022, are attached to the RFP as Attachment 16 for reference.

- 3.2. **Project Schedule.** The estimated schedule for the Project is as follows:

<u>Estimated Overall Schedule</u>	<u>Completion Milestone</u>
<b>Criteria Phase</b>	
Criteria Development	01/15/2022
SPWB / DOF Approval of Criteria	04/15/2022
DBE Selection	07/15/2022
<b>Pre-GMP Services (NYA)</b>	
(Schematic Design and Design Development) (NYA)	03/25/2023
<b>Post-GMP Services (NYA)</b>	
Working Drawings (NYA)	03/06/2024
Construction (NYA)	10/27/2025
Warranty Phase (NYA)	11/25/2025

### 4. RESPONDING TO THE RFP

- 4.1. **Pre-Proposal Actions and Events.** All Firms interested in submitting a Proposal are requested to attend a pre-proposal meeting at the date and time indicated in the RFP Schedule of Events. Attendance at the pre-proposal meeting is not mandatory to submit a Proposal. The pre-proposal meeting cannot be used as a substitute for written questions. Questions must be submitted in writing per the RFP Schedule of Events. Any verbal responses provided during the pre-proposal meeting are not binding.
- 4.2. **Questions.** Firms may submit requests for clarifications or questions on the form provided as Attachment 11 to this RFP. Forms shall be submitted to the Judicial Council via e-mail to [Solicitations@jud.ca.gov](mailto:Solicitations@jud.ca.gov) no later than the

date specified in the RFP Schedule of Events. Please indicate the RFP number and title in the subject line. Contact with the Judicial Council shall be made only through email; telephone calls will not be accepted. **If a Firm submits written questions or contacts any agent or employee of the Judicial Council other than in the manner indicated in this RFP, the Judicial Council may deem the Firm's Proposal non-responsive and reject it.**

- 4.3. **Errors in the RFP.** If Firm(s) discovers any ambiguity, conflict, discrepancy, omission, or other error in this RFP, Firm(s) shall provide the Judicial Council with written notice at least two (2) full Judicial Council business days' before the due date for Proposals, and request that the RFP be clarified or modified. Without disclosing the source of the request, the Judicial Council may, in its discretion, modify the RFP prior to the date fixed for submission of Proposals by issuing an addendum. **A Firm(s) that knows or should have known of an error in the RFP and fails to notify the Judicial Council shall submit its Proposal at its own risk, and if Firm(s) is awarded the contract, it shall not be entitled to additional compensation or time by reason of the error or its later correction.**

4.4. **Submitting Proposals.**

- 4.4.1. **Offer Period.** All submitted Proposals shall constitute and be an irrevocable offer by the Firm that is valid for ninety (90) days following the submittal deadline for Proposals as indicated in the RFP Schedule of Events. If 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 Firms. The Judicial Council may release all offers not selected under this RFP upon award and execution of the Agreement.

- 4.4.2. **Proposal Elements.** Responsive proposals shall be compiled as follows:

4.4.2.1 **Written Proposal:**

- 4.4.2.1.1. Firms Statement of Qualifications ("SOQ") as indicated 4.4.3 below
- 4.4.2.1.2. Firm's Acceptance of Terms and Conditions, completed Attachment 4
- 4.4.2.1.3. General Certifications Form, completed Attachment 5
- 4.4.2.1.4. DIR Contractor Registration Statement, completed Attachment 6
- 4.4.2.1.5. Darfur Contracting Act Certification, completed Attachment 7
- 4.4.2.1.6. Standard Form 330, Attachment 8, completed for each individual listed in the Key Personnel/Team section of the SOQ
- 4.4.2.1.7. Payee Data Record Form, completed Attachment 9A
- 4.4.2.1.8. Payee Data Record Supplement, completed Attachment 9B (if required)
- 4.4.2.1.9. Iran Contracting Act Certification, completed Attachment 12 (if applicable)
- 4.4.2.1.10. Unruh Civil Rights Act and California Fair Employment and Housing Act Certification, completed Attachment 13

4.4.2.2 **Cost Proposal:**

- 4.4.2.2.1. Consultant Personnel Billing Rates, completed Attachment 3

4.4.3. **SOQ.** Each Firm shall provide the following in its written SOQ:

- 4.4.3.1 **Letter of Interest** - A dated Letter of Interest must be submitted, including the legal name of the Firm, address, telephone and fax numbers, and the name, title, and signature of the person(s) authorized to submit the RFP on behalf of the Firm.
- 4.4.3.2 **Table of Contents** - A table of contents of the material contained in the RFP should follow the letter of interest.
- 4.4.3.3 **Executive Summary** - The executive summary should contain an outline of Firm's construction management approach, along with a brief summary of Firm's qualifications and experience, including its experience managing projects delivered with alternative delivery methods.
- 4.4.3.4 **Firm Information** - Provide a comprehensive description of the construction management services offered by Firm. The description should include the following:
- 4.4.3.4.1. **Firm History.** Provide a brief history of Firm, and, if a joint venture, of each participating Firm, each participating Firm's role(s) and responsibility(ies) and the history of the joint venture. Identify legal form, ownership, and senior officials of company(ies). Describe number of years in business and types of business conducted, including experience with the design-build delivery method.
  - 4.4.3.4.2. **Licensure.** Provide documentation demonstrating that Firm will provide construction project management services by a currently licensed architect, a registered professional engineer, or a licensed contractor.
  - 4.4.3.4.3. **DIR Contractor Registration Number.** Provide the Firm's contractor registration number issued by the California Department of Industrial Relations or a statement that the Firm will not be performing any work subject to the payment of prevailing wages on Attachment 6, DIR Contractor Registration Statement. Contractor registration numbers will be verified by accessing California Department of Industrial Relations at: <https://cadir.secure.force.com/ContractorSearch>.
  - 4.4.3.4.4. **Firm Philosophy.** Describe Firm's philosophy and how Firm intends to work with the Judicial Council's administration officials to perform the Services, including project managers and court staff, to develop construction management techniques and responses related to the unique challenges of Judicial Council's requirements.
- 4.4.3.5. **Key Personnel/Team.**
- 4.4.3.5.1. **Staffing Plan.** Provide a staffing plan prepared for the project. Proposers may refer to Attachment 14 for Judicial Council's standard staffing plan for CMA services for a project of this size and nature. Final staffing may be reviewed and negotiated with Judicial Council after selection
  - 4.4.3.5.2. **Personnel Experience.** Firm's Proposal should clearly and accurately provide the qualifications and experience, including resumes, of key personnel, team members and any subconsultants being proposed to perform the day-to-day and on-site Services. The key personnel shall at a minimum include the personnel included in the Judicial Council Standard CMA Staffing Plan attached to the RFP as Attachment 14. It is the proposing Firm's responsibility to demonstrate specialized knowledge and experience required for team members, particularly on projects of similar size, complexity and involving the design-build delivery method. Identify the individuals

who will manage the commissioning services for this Project and include resumes and include resumes and commissioning experience for those individuals.

- 4.4.3.6. **Claims.** Provide a statement of **ALL** contract-related or professional misfeasance claim(s) filed against Firm in the past five (5) years, not including claim(s) that are strictly personnel claim(s). Include claims filed against the Firm’s parent organization, if applicable. Briefly indicate the nature of the claim(s) and the resolution, if any, of the claim(s). If the firm has more than twenty (20) claims to report, please state how many claims there are, but limit providing statements to only the twenty (20) **MOST RECENT** claims.
- 4.4.3.7. **Narrative Regarding Capacity.** Provide a narrative that sets forth the Firm’s capacity to provide the resources necessary to perform all of the Services with respect to the Project within a reasonable timeframe. These would include, but not be limited to, estimating, scheduling, claims analysis, code review, and administrative support.
- 4.4.3.8. **Prior Relevant Professional Construction Management Experience.** Describe Firm’s experience managing construction programs and individual construction projects within political environments including facilitation of community involvement in the project planning and construction process. Describe Firm’s prior experience with managing public works projects involving the design-build delivery method.
- 4.4.3.9. **Prior Relevant Commissioning Experience**
- 4.4.3.9.1. Describe Firm’s experience oversight and management (as opposed to performance of) commissioning services for a similar Projects.
- 4.4.3.9.2. List any subconsultants or outside parties the Firm intends to utilize to manage the commissioning services required for this Project.
- 4.4.3.10. **References.** Include a list of references with contact information (email and phone number). Firms should limit references to no more than five (5). Firms shall not submit individuals working for the Judicial Council as references.
- 4.4.4. **Cost Proposal.** Firms shall provide a Fee Proposal in the form of completed Attachment 3, Consultant Personnel Billing Rates. The proposal shall be based on hourly rates for the categories of key personnel as set forth in Attachment 3. The Firm’s hourly rates shall include, without limitation, all costs for overhead, personnel, administration, profit, costs for travel, per diem expenses, and all deliverables, printing, and shipping, under the Agreement. Proposals and rates shall be confidential until the Judicial Council executes a contract with the selected Firm.
- 4.4.4.1. The hourly rates will be used for evaluation purposes as set forth in “Selection and Evaluation Process” section below. The hourly rates set forth in the Fee Proposal shall be the rates charged for Services performed under the Agreement, including any work defined as Extra Services. The contract fee shall be based upon the hourly rates set forth in the Fee Proposal. The Judicial Council may add positions based on Project requirements. The scope and schedule of Services requested by the Judicial Council shall be subject to negotiation.
- 4.4.4.2. **Extra Services:** With respect to any potential Extra Services, provide the hourly rates for each of the Key Personnel set forth in the Firm’s Proposal. The hourly rates shall include all costs for overhead, personnel, administration, profit, and per diem expenses except as otherwise provided for under the Agreement. The rates for personnel added to align the Attachment 3, Consultant Personnel Billing Rates with the proposed key personnel will not be scored.



4.4.4.3. **Cultural Resources Monitoring Services:** Refer to Attachment 15, Cultural Preservation Agreement, to engage the Native American Tribe monitoring personnel. The hourly rates will be provided to the successful bidder for future Extra Services requests.

4.4.5. **Media Format of Proposals.** Firms shall provide proposals in the media format as follows:

4.4.5.1. The Firm(s)'s Written Proposal in pdf format. The SOQ and accompanying documents must be digitally signed by an authorized representative of the company. The proposing Firm must include the RFP number and "SOQ" in the name of the electronic file.

4.4.5.2. The Firm(s)'s Cost Proposal – Consultant Personnel Billing Rates Form, Attachment 3, in .pdf format. The Fee Proposal must be digitally signed by an authorized representative of the company. The proposing Firm must include the RFP number and "Cost Proposal" in the name of the electronic file.

The Cost Proposal shall not be combined or incorporated in any way with the Written Proposal.

4.4.6. **Method of Submission.** The Judicial Council will temporarily accept proposals in an electronic format. Firms must submit proposals in two separate files: (1) the SOQ and accompanying administrative documents; and (2) the Fee Proposal - Attachment 3, Fee Proposal - Hourly Rates. These files shall be emailed to separate email addresses as outlined in the RFP Schedule of Events to ensure separation throughout the submission and evaluation process. **Only electronic proposals will be accepted at this time.**

4.4.6.1. For electronic submission of proposals, email the Firm's proposal no more than three (3) days in advance of the due date to the designated email addresses. The Judicial Council shall provide a confirmation that a proposal has been received.

4.4.7. **Submission Timeliness.** Firm(s) assume all risk for ensuring receipt no later than the date and time specified in the RFP Schedule of Events. Late proposals will not be accepted.

## 5. STANDARD AGREEMENT AND SCOPE OF SERVICES

5.1. **Agreement.** Attached hereto as Attachment 2 is the form of Agreement, including the indemnification and insurance provisions. The Judicial Council reserves the right to modify or update the Agreement at any time until an award and execution of the Agreement with the successful Firm.

5.1.1. **Extra Services.** Note that the rates for Extra Services will be good for three years and update every two years thereafter based on Bureau of Labor Statistics CPI for Urban Wage Earners and Clerical Workers (CPI-W).

5.1.2. **DVBE.** The Judicial Council has a contract participation goal of a minimum of three percent (3%) for disabled veteran business enterprises ("DVBE(s)"). Information about DVBE resources can be found on the Department of General Services' website at <http://www.dgs.ca.gov>, or by emailing [OSDSHelp@dgs.ca.gov](mailto:OSDSHelp@dgs.ca.gov) or calling the Office of Small Business and DVBE Services at 916-375-4940. **Please note that DVBE documentation is not required to be submitted with the Proposal but is to be submitted only by the Firm selected for Services.**

5.1.3. **Acceptance of the Terms and Conditions:** On Attachment 4, the Firm must check the appropriate box and sign the form. If the Firm 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 Firm 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 Firm(s) acknowledges that it has no objection to the form of Agreement unless exceptions are identified as required herein.

## 6. EVALUATION AND SELECTION PROCESS

6.1. **Evaluation Process Overview.** The basis for selection of a Firm to provide Services in response to this RFP consists of a two-step evaluation. Step 1a – Qualifications, is an evaluation of the firm’s qualifications based on the written proposal. Step 1b – Interviews/References is the conducting of interviews and reference checks which may impact and adjust the final score awarded to the firm’s written SOQ. Step 1 scores will be finalized prior to commencement of Step 2 - Cost Proposal evaluation. Step 2 – Cost Proposal evaluation, is the scoring of the Firm’s Attachment 3, Consultant Personnel Billing Rates. Step 1 and Step 2 scores will be added together to establish the Firm’s total score.

The Firms will then be ranked in numerical order from the highest to lowest combined total score. In the event of ties within the ranking list, the Firm with the higher Step 1 score will be advanced one place holding in the ranking list. The Judicial Council reserves the right to reject any Firm’s Proposal due to non-responsiveness to this RFP.

6.2. **Step 1a – Evaluation of Qualifications.** The Judicial Council will evaluate SOQs and award points within the individual categories below. After evaluating and scoring qualification SOQs, interviews will be held which may result in adjustment of points awarded to specific categories.

WEIGHT	QUALIFICATIONS TO BE EVALUATED
25 points	<p><b>Experience of the Team</b>  The Judicial Council will evaluate the qualifications and experience of Firm’s proposed team members based on their performance of services on similarly sized and scoped projects over the last five (5) years.</p> <ol style="list-style-type: none"> <li>1. Proposed Project Manager and team (10 points) <ol style="list-style-type: none"> <li>A. Types of Projects</li> <li>B. Size of Projects</li> <li>C. Experience in management of design-build delivery method.</li> <li>D. Experience in pre-construction activities such as design review, estimating, and scheduling.</li> </ol> </li> <li>2. Proposed On-Site Construction Manager (10 points) <ol style="list-style-type: none"> <li>A. Type of Projects</li> <li>B. Size of Projects (Commensurate with proposed Project)</li> <li>C. Experience in construction administration</li> <li>D. Knowledge of complex building systems</li> <li>E. Experience in management of design-build delivery method.</li> </ol> </li> <li>3. Proposed Other Key Personnel/Subcontractor(s) (5 points) <ol style="list-style-type: none"> <li>A. Experience of proposed other key personnel/consultants in performing the required work on similar projects</li> </ol> </li> </ol>
25 points	<p><b>Experience and Resources of the Firm</b>  The Judicial Council will evaluate the Firm’s capacity to provide resources necessary to perform the proposed services</p> <ol style="list-style-type: none"> <li>1. Firm philosophy, staffing, and experience in providing pre-construction and construction project management services for similar projects. (10 points)</li> <li>2. Location of Resources. Are the proposed resources located within a reasonable distance of the job site? (5 points)</li> <li>3. Proposed Estimating Resources. Are there resources identified to provide estimating support to the project? (5 points)</li> <li>4. Proposed Scheduling Resources. Are there resources identified to provide scheduling support to the project? (5 points)</li> </ol>

WEIGHT	QUALIFICATIONS TO BE EVALUATED
25 points	<p><b>Communication Skills</b>  The Judicial Council will evaluate the expertise and demonstrated ability of the Firm to communicate and resolve issues between onsite teams and with various offsite entities and team members.</p> <ol style="list-style-type: none"> <li>1. Demonstrated ability of the Firm to communicate and resolve issues and present information clearly and concisely, both in written and verbal format. (15 points)</li> <li>2. Aptitude of the Firm to communicate with the various members of a project team, which for this project may include the Judicial Council, Local Court, Architect, General Contractor, Project Inspector, and Regulatory Agencies. (10 points)</li> </ol>
N/A	<p><b>Interview</b>  The Judicial Council shall award no points directly for interview performance; however, the interview process will be used to confirm the Firm’s qualifications and the Judicial Council may adjust the points afforded to the Firm in the above categories as a result of the interview.</p>
N/A	<p><b>References.</b> The Judicial Council may contact any reference listed by a Firm to verify the experience and performance of the Firm, key personnel, and sub-consultants. The Judicial Council shall award no points directly for reference responses; however, the reference process will be used to confirm the Firm’s qualifications and the Judicial Council may adjust the points afforded to the Firm in the above categories as a result of reference input.</p>

**6.3. Step 1b - Qualifications Interview / References:**

- 6.3.1. Judicial Council will conduct interviews with Firms. Firms will be notified of their interview date, time, and location consistent with the RFP Schedule of Events.
- 6.3.2. After interviews, the Judicial Council in its discretion, may contract a Firm’s references.
- 6.3.3. After all interviews are complete, and references have been checked, qualification scores will be finalized to identify the points awarded for each Firm in Step 1.

**6.4. Step 2 - Evaluation of the Cost Proposals:**

- 6.4.1. A maximum of 25 points will be awarded for the cost proposal.
  - 6.4.1.1. The basis of the evaluation and subsequent award of points for the “Cost Proposal” criteria shall be the composite hourly billing rate for the key personnel positions listed. The composite hourly billing rate will be determined by multiplying the proposed hourly billing rate for each position by the designated weight factor. The weighted proposed hourly billing rates will then be summed to identify the composite hourly rate.

The lowest cost proposal (composite 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.

Position	Weight
Project Director	10%
Project Manager (Pre- Construction)	20%
Construction Manager	20%
Project Engineer	25%
Document Control Specialist	5%

<b>Position</b>	<b>Weight</b>
MEP Commissioning Consultant	0%
Bldg. Envelope Commissioning Consultant	0%
Controls/BMS Commissioning Consultant	0%
Cost Estimator	10%
Scheduler	10%

6.4.2. The Judicial Council shall **NOT** score hourly rates provided for Extra Services.

6.4.3. The calculation of the points awarded for each firm will be in accordance with the Judicial Branch Contracting Manual, Chapter 4B.

6.5. **Determining Total Score.** The scores determined in Step 1 and Step 2 of the Proposal evaluations shall be added to determine the total score for each Firm. The maximum combined Qualification and Cost Proposal score (Total Score) is 100 points. The Firm will be selected on a “highest scored proposal” basis in accordance with the Judicial Branch Contracting Manual, Chapter 4B which can be accessed at: <https://www.courts.ca.gov/documents/jbcl-manual.pdf>.

6.6. **Preclusion.** A Firm and any sub-consultants selected as the construction manager on this Project are precluded from being a member of the DBE or its team on the Project. Successful Firm(s) will not, based on this selection, be precluded from consideration nor given special status in any future Judicial Council solicitations. Successful Firm(s) on a specific project may still propose to be a consultant on a different Project.

6.7. **Selection of Firm and Calculation of Fixed Fee.** After the Judicial Council identifies the highest ranked Firm, the Judicial Council will commence negotiations with that Firm regarding the necessary hours and personnel for each phase of the Project. The Judicial Council may also address any identified variances in the Cost Proposal and comments in regard to the Agreement. The negotiation period is anticipated to be thirty (30) calendar days. Once the necessary hours and personnel for each phase of the Project are agreed upon, the parties shall apply the hourly rates set forth in that Firm’s Fee Proposal to the agreed upon hours and personnel. This method shall be used to calculate the fixed fee amount for each phase of the Project.

If a satisfactory contractual agreement on services and compensation cannot be reached between the Judicial Council and a selected Contractor within thirty (30) calendar days of notification of selection, the Judicial Council reserves the right in its sole discretion to terminate negotiations with that Firm and attempt to reach satisfactory contractual agreement with the next qualified Firm. If the Judicial Council and the second highest ranked Firm are unable to agree upon services and compensation for the Project, the Judicial Council may commence negotiations with the third highest ranked Firm. This process shall continue until in the Judicial Council’s discretion until the Judicial Council reaches an agreement with a Firm, or the Judicial Council elects to discontinue negotiations.

## 7. ADMINISTRATIVE RULES GOVERNING RFPS

7.1. The Judicial Council’s Administrative Rules governing this RFP can be found in Attachment 1. By virtue of submission of a Proposal, the Firm agrees to be bound by the Administrative Rules.

7.2. 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 will become a public record.

## 8. PROTESTS

- 8.1. Protests will be handled in accordance with Chapter 7 of the Judicial Branch Contracting Manual (see <http://www.courts.ca.gov/documents/jbcl-manual.pdf>). Failure of a Firm to comply with the protest procedures set forth in Chapter 7 will result in rejection of the protest. Notwithstanding the foregoing, the Judicial Council will accept electronically submitted protests as an accommodation in response to the Covid-19 pandemic. The deadline for a Firm to submit a protest challenging this RFP, including any attachments, or portions thereof, is two days before the proposal due date. Protests must be sent electronically to: [Solicitations@jud.ca.gov](mailto:Solicitations@jud.ca.gov).