



Request for Qualifications: Prequalification of Elevator Contractors

Clara Shortridge Foltz

Superior Court of California,

County of Los Angeles

The Administrative Office of the Courts, Office of Court Construction and Management seeks to prequalify Elevator Contractors seeking to bid on renovation of 21 existing elevators for the Superior Court of California, County of Los Angeles.



ADMINISTRATIVE OFFICE
OF THE COURTS

OFFICE OF COURT CONSTRUCTION
AND MANAGEMENT

Request for Qualifications: Prequalification of Elevator Contractors

Date
 February 17, 2012

To
 Elevator Contracting Firms

From
 Administrative Office of the Courts,
 Office of Court Construction and Management

Project Title
 Prequalification of Elevator Contractors,
 Clara Shortridge Foltz Courthouse
Solicitation Number: OCCM-2012-01-CC

Send Prequalification submittals To:
 Judicial Council of California
 Administrative Office of the Courts
 Attn: Ms. Nadine McFadden,
 455 Golden Gate Avenue, 7th Floor
 San Francisco, CA 94102(indicate RFQ
 number and project name on lower left
 corner of envelopes)

Contact:
OCCM_Solicitations@jud.ca.gov

RFQ Schedule of Events

No.	Events	Dates (Calif. Time)
1.	Issue RFQ	Friday, February 17, 2012
2.	Deadline for submission of Proposer's Clarifications /Questions on the RFQ .	Friday, February 24, 2012 12:00 p.m.
3.	Answers to questions posted on the Court website: (estimated) http://www.courts.ca.gov/rfps.htm	Tuesday, February 28, 2012
4.	Request for Prequalification submittal Due Date and Time	Monday, March 5, 2012 12:00 p.m.
5.	Posting of Prequalified Proposers on http://www.courts.ca.gov/rfps.htm (estimated).	Friday, March 9, 2012 5:00 p.m.
6.	Mandatory pre bid job walk	Tuesday, March 13, 2012 9:00 a.m.

RFP Schedule of Events

No.	Events	Dates (Calif. Time)
1.	Issue RFP (estimated)	Wednesday, March 14, 2012
2.	Deadline for submission of Proposer's Clarifications /Questions re on the RFP.	Tuesday, March 20, 2012 12:00 p.m.
3.	Answers to questions posted on the Court website: (estimated) http://www.courts.ca.gov/rfps.htm	Friday, March 23, 2012

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4.	Deadline for submission of Bid Proposals	Wednesday, March 28, 2012 12:00 p.m.
5.	Posting of Notice of Intent to Award (estimated)	Friday, April 6, 2012
6.	Execution of Contract	Friday, April 27, 2012
7.	Contract Start Date	May 1, 2012
8.	Contract End Date	May 1, 2016

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Attachments:

- A Application for Pre-Qualification of Elevator Contractors
- B Not used
- C Form of Submission for Questions
- D Payee Data Record

1.0 Introduction

This Request for Qualifications (RFQ) is the means for prospective Elevator Contractors to submit their qualifications to the Administrative Office of the Courts (AOC) for the services described in this document. The RFQ and all associated documents and addenda are available in electronic form at <http://www.courts.ca.gov/rfps.htm>

The Judicial Council of California, chaired by the Chief Justice of California, is the primary policy making body of the California judicial system. The AOC is the staff agency of the Judicial Council. The Office of Court Construction and Management (OCCM), is the division of the AOC responsible for the planning, design, construction, real estate and asset management of facilities for the Superior and Appellate Courts of California.

2.0 Purpose of this RFQ

The AOC seeks to prequalify a pool of Elevator Contractors from which to solicit bids for the modernization of the 21 existing elevators at the Clara Shortridge Foltz Superior Court. Firms selected as Prequalified will be given the opportunity to submit bid proposals for the Project as described in Article 3. Subject to the conditions prescribed by the AOC and provided herein, the AOC is hereby soliciting qualifications for furnishing Contracting Services for the Project. Selection will be made on the basis of qualifications as outlined in this request. The AOC will identify the selected Contractors in a timely manner and issue bid documents shortly thereafter.

In responding to this RFQ, all Proposers are required to adhere to all of AOC requirements provided herein. All Proposers must hold a type C-11 license from the State of California.

3.0 Project Description

Provide shop drawings, new equipment and controls as required for modernization and state certification of the existing 21 (1 hydraulic, 20 traction) elevators at the Clara Shortridge Foltz Superior Courthouse. Plans and specifications will be provided at time of RFP by HKA Elevator Consulting. The project elevators have various uses including Public, In Custody, Secure Judge, and Freight. Because of the high demand and usage in this building, only one elevator of each use will be allowed offline at a time. Additionally, the project will require the selected contractor to provide all ongoing maintenance and repairs of all elevators in the RFP for the duration of the project.

4.0 Responding to this Request for Qualifications

The AOC has developed the schedule of events with dates showing the key events in this solicitation process. The RFQ and schedule are subject to change, and the AOC does not send notifications of changes to this RFQ or the schedule to prospective Proposers and is not responsible for failure of any Proposer to receive notification of any change in a timely manner. Proposers are advised to visit the AOC website <http://www.courts.ca.gov/rfps.htm> frequently to check for changes and updates to the RFQ, including the Schedule. Prospective Proposers must take the following actions according to the specified timelines in order to participate in this process.

4.1 Not used.

4.2 Not used.

4.3 Optional: Submit Requests for Clarifications:

If your organization wishes to submit questions prior to submission of a Prequalification submittal, please submit using Attachment C, Form of Submission for Questions. Answers to questions will be posted to the website <http://www.courts.ca.gov/rfps.htm> on the page/link of this RFQ.

4.4 Optional: Email Intent to Respond:

Elevator Contractors who intend to respond to this solicitation are requested to notify the AOC by sending an email to OCCM_solicitations@jud.ca.gov with the RFQ number and name in the subject line. This is not mandatory but is strongly encouraged, to assist the AOC in managing the RFQ process. Please include the name, address, telephone, fax number, and e-mail address of the Contractor (firm) and contact person.

4.5 Preparing and Packaging Your Prequalification submittal:

Prequalification submittals should provide straightforward, concise information that satisfies the requirements noted in this RFQ. Expensive binding, color displays, and the like are discouraged. Emphasis should be placed on brevity, conformity to the AOC's instructions, selection criteria of this RFQ, and completeness and clarity of content. Organizing prequalification submittals into the tab order suggested below will not only help each proposer achieve the proper emphasis, but will also facilitate review and evaluation. Attachments, except as noted, will not be accepted.

Each Proposer's Statement of Qualifications (SOQ) should clearly and accurately demonstrate specialized knowledge and experience required for consideration. In a sealed envelope (clearly marked "Prequalification submittal – (firm name). Project Name, RFQ Number"), submit the following:

- a) one (1) original of the Payee Data Record form completed in the exact legal name of the Proposer's business signed by an authorized representative of the Proposer (Do not bind Payee Data Record form into the SOQ booklets);
- b) one (1) compact disk containing the complete SOQ and Payee Data Record form;
- c) four (4) copies in paper form of the SOQ, which consists of a Cover Letter completed Application For Pre-Qualification of General Contractors, and Project Approach.

Tab 1. Cover Letter

Provide a cover letter that references this RFQ and confirms that all elements of the RFQ have been read and understood and that the Proposer takes no exception to the materials provided. The cover letter shall be one page maximum and signed by an individual authorized to bind the Proposer contractually. Include in the letter:

- The exact legal name, address, telephone and fax numbers, and federal tax identification number of the organization proposing to do business with the AOC (or social security number if the organization is a sole proprietorship),
- The name, telephone, fax, address, and e-mail address of one business person who is the organization's designated representative,
- The name, telephone, fax, address, and e-mail address of the contracts management or legal person who will liaise with the AOC in contractual matters.

Tab 2. Application for Prequalification of Elevator Contractors:

Complete Application form in full, per specific instructions included therein.

Section 1: Part A – General Information

Part B – Data Required

Part C – Questions

Section 2: Parts I through VI. The prospective Contractor shall describe its specific responses to the selection criteria, numbered and titled as listed in section. Responses should provide specific information regarding experience, expertise of the key personnel, description of continuous quality improvement process, and capacity to deliver high quality Elevator Contractor modernization services for this project, and any other relevant selection criteria information not provided elsewhere in the Application form.

Tab 3. Proposed Approach

Provide a Project Plan for performing the construction activities described in this RFQ. The intent is to demonstrate the firm's clear understanding of the purpose, services, scope, and objectives of this project. The AOC recommends that the Project Plan should deal directly with the issues identified by the AOC as critical to a successful outcome, including but not limited to the following: maintenance of project schedule, coordination with ongoing Court activities, ongoing maintenance, system overlay.

At a minimum, firms should consider the following:

Provide a construction schedule to show durations of major activities, critical elements and milestones necessary to complete the work. Schedule should specifically address sequencing of each period of time each elevator is off line, and total project duration. Provide approach to staffing the job, indicate strategy for outreach to the local subcontracting community, and address means of maintaining all subcontractor performance level and filtering of unjustified change order proposals. It is the AOC's expectation to have the Elevator Contractor provide, at a minimum, a part time Project Executive, one full time Project Manager/ Superintendent, and a Safety Officer that will be at the Project site or available to the Project site at all times during the course of construction.

This section shall be signed by an authorized representative of the prospective Contractor.

Questions may be submitted to the AOC via e-mail to occm_solicitations@jud.ca.gov no later than the date identified on page 2 of this RFQ. Please indicate the RFQ number and title in the subject line. Contact with the AOC shall be made only through this email address; telephone calls will not be accepted.

5.0 Not used

6.0 Submitting Your Prequalification Submittal

In order to be considered for award, the AOC requires that statements of qualifications shall be provided, in written form, not later than the time and date indicated in the Schedule of Events on page 2 of the most current version of this RFQ, to the following address:

*Judicial Council of California
Administrative Office of the Courts
Attn: Ms. Nadine McFadden,
455 Golden Gate Avenue, 7th Floor
San Francisco, CA 94102
(indicate RFQ number and project name on lower left corner of envelopes)*

Prequalification submittals are not to be submitted as e-mails. Prequalification submittals may be sent by US mail service certified mail, or overnight delivery carrier, or may be delivered in person. The Proposer assumes all risk of loss regarding any delivery method it chooses to use, and the AOC shall not be held responsible for any failure of any delivery service/method. The Proposer is solely responsible for ensuring delivery no later than the date and time specified. The AOC will return unopened, any prequalification submittal received after the time specified in the most current RFQ Schedule.

7.0 Selection Process

7.1 Prequalification submittal Evaluation Process

An evaluation team will evaluate the Prequalification submittal to determine its responsiveness to the AOC’s expressed needs, and score them as described below.

7.1.1 Prequalification submittal Evaluation Process:

The Prequalification submittals received will be analyzed and scored by members of an evaluation team. Each member of the evaluation team will assign a point score according to the following grading schedule. Points assigned by the individual team members will then be averaged to determine a Total Quality Points score for each Proposer.

Quality Point Scoring Schedule

Points	Criteria	100 points maximum
30	<u>Demonstrated Experience of the Firm:</u> Responses to questions and company’s experience as relates to this project as described in Attachment A “Application for Prequalification of Elevator	

	Contractors”.
30	<u>Demonstrated Experience and Training of Project Personnel:</u> General experience as it relates to Attachment A “Application for Prequalification of Elevator Contractors”.
35	<u>Proposal Approach:</u> The proposed Project Plan shall demonstrate the Proposer’s approach to this RFQ indicating a clear understanding of the purpose, service, scope, and objectives of this solicitation. Please see 4.5, Tab 3 of this document for more specific criteria.
5	<u>Subcontracting:</u> Include approach to staffing the job, and strategy for sub-contracting and reaching out to the local subcontractor and vendor community.

TOTAL POSSIBLE POINTS = 100 points

7.1.2 Prequalified Contractors Eligible to Bid the Project:

The final scores will be used to establish the list of prequalified contractors that will be eligible to bid the project.

8.0 Disabled Veteran Participation Goals

The State of California requires contract participation goals of a minimum of three percent (3%) for disabled veteran business enterprises (DVBE’s). The AOC is subject to this participation goal. The AOC will require that the **PREQUALIFIED** Contractors demonstrate DVBE compliance and complete a DVBE Compliance Form when bidding the Project for Construction. If it would be impossible for the selected Contractor to comply, explanation of why and demonstration of written evidence of a “good faith effort” to achieve participation would be required. Information about DVBE resources can be found on the Executive Branch’s internal website at <http://www.dgs.ca.gov/default.htm> or by calling the Office of Small Business and DVBE Certification at 916-375-4940.

9.0 Administrative Rules Governing this RFQ Process

The AOC’s Administrative Rules governing the Submission of Prequalification submittals follow. By virtue of submission of a Prequalification submittal, the Proposer agrees to be bound by said Administrative Rules with regards to this RFQ and said Prequalification submittal. Said rules shall in no way act to limit the AOC’s right to negotiate additional or different terms if it sees necessary.

The AOC reserves the right to reject any and all Prequalification submittals, in whole or in part, as well as the right to issue similar RFQs in the future. This RFQ is in no way an agreement, obligation, or contract and in no way is the AOC or the State of California responsible for the cost of preparing the prequalification submittal. One copy of a submitted prequalification submittal will be retained for official files and becomes a public record.

The AOC policy is to follow the intent of the California Public Records Act (PRA). If a Contractor’s prequalification submittal contains material noted or marked as confidential and/or proprietary that, in the AOC’s sole opinion, meets the disclosure exemption requirements of the PRA, then that information will not be disclosed pursuant to a request for public documents. If the AOC does not consider such

material to be exempt from disclosure under the PRA, the material will be made available to the public, regardless of the notation or markings. If a Contractor is unsure if its confidential and/or proprietary material meets the disclosure exemption requirements of the PRA, then it should not include such information in its prequalification submittal.

A. General

1. This solicitation document, the evaluation of prequalification submittals, and the award of any contract shall conform with current competitive bidding procedures as they relate to the procurement of goods and services.
2. In addition to explaining the Administrative Office of the Courts' (AOC's) requirements, the solicitation document includes instructions which prescribe the format and content of prequalification submittals.

B. Errors in the solicitation document

1. If a Contractor submitting a prequalification submittal discovers any ambiguity, conflict, discrepancy, omission, or other error in this solicitation document, the Contractor shall immediately provide the AOC with written notice of the problem and request that the solicitation document be clarified or modified. Without disclosing the source of the request, the AOC may modify the solicitation document prior to the date fixed for submission of prequalification submittals by issuing an addendum to all Contractors to whom the solicitation document was sent.
2. If prior to the date fixed for submission of prequalification submittals a Contractor submitting a prequalification submittal knows of or should have known of an error in the solicitation document but fails to notify the AOC of the error, the Contractor's prequalification submittal shall be submitted at its own risk, and if the Contractor is prequalified, it shall not be entitled to additional consideration by reason of the error or its later correction.

C. Questions regarding the solicitation document

1. If a Contractor's question relates to a proprietary aspect of its prequalification submittal and the question would expose proprietary information if disclosed to competitors, the Contractor may submit the question in writing, conspicuously marking it as "CONFIDENTIAL." With the question, the Contractor must submit a statement explaining why the question is sensitive. If the AOC concurs that the disclosure of the question or answer would expose proprietary information, the question will be answered, and both the question and answer will be kept in confidence. If the AOC does not concur regarding the proprietary nature of the question, the question will not be answered in this manner and the Contractor will be notified.
2. If a Contractor submitting a prequalification submittal believes that one or more of the solicitation document's requirements is onerous or unfair, the Contractor may submit a written request that the solicitation document be changed. The request must set forth the recommended change and Contractor's reasons for proposing the change. Any such request must be submitted to the AOC by the date and time listed

in this RFQ for “Deadline for submission of Proposer’s Requests for Clarifications, Modifications or Questions regarding the RFQ”.

D. Addenda

1. The AOC may modify the solicitation document prior to the date fixed for submission of prequalification submittals by faxing an addendum to the Contractors to whom the solicitation document was sent. If any Contractor determines that an addendum unnecessarily restricts its ability to submit a prequalification submittal, it must notify the AOC no later than one day following the receipt of the addendum.

E. Withdrawal and resubmission/modification of prequalification submittals

1. A Contractor is to notify the AOC in writing if they wish to withdraw their prequalification submittal at any time prior to the deadline for submitting. The notice must be signed by the Contractor. The Contractor may thereafter submit a new or modified prequalification submittal, provided that it is received at the AOC no later than the prequalification submittal due date and time listed in this RFQ. Modifications offered in any other manner, oral or written, will not be considered. Prequalification submittals cannot be changed or withdrawn after the prequalification submittal due date and time listed in this RFQ.

F. Evaluation process

1. The evaluation team will review all prequalification submittals that are received to determine compliance with solicitation document requirements.
2. If a prequalification submittal fails to meet a material solicitation document requirement, the prequalification submittal may be rejected. A deviation is material to the extent that a response is not in substantial accord with solicitation document requirements. Material deviations cannot be waived. Immaterial deviations may cause a prequalification submittal to be rejected.
3. Prequalification submittals that contain false or misleading statements may be rejected if, in the AOC’s opinion, the information was intended to mislead the state regarding a requirement of the solicitation document.
4. During the evaluation process, the AOC may require a Contractor's representative to answer questions with regard to the Contractor’s prequalification submittal. Failure of a Contractor to demonstrate that the claims made in its prequalification submittal are in fact true may be sufficient cause for deeming a prequalification submittal non-responsive.

G. Rejection of prequalification submittal

1. The AOC may reject any or all prequalification submittals and may or may not waive an immaterial deviation or defect in a prequalification submittal. The AOC’s waiver of an immaterial deviation or defect shall in no way modify the solicitation document or excuse a Contractor from full compliance with solicitation document specifications. The AOC reserves the right to accept or reject any or all of the items

in the prequalification submittal, if it is deemed in the AOC's best interest. Moreover, the AOC reserves the right to make no selection if prequalification submittals are deemed to be against the best interest of the State of California.

H. Suitability of prequalification submittal

1. The AOC reserves the right to determine the suitability of prequalification submittals on the basis of a prequalification submittal's meeting administrative requirements, technical requirements, and its assessment of the demonstrated experience of the firm, the demonstrated experience and training of project personnel, and the project approach.

I. Decision

1. Questions regarding the AOC's prequalification of contractors on the basis of prequalification submittals submitted in response to this solicitation document, or on any related matter, should be addressed to the individual listed in the Submitting Your Prequalification submittal section of this RFQ, who will forward the matter to the appropriate Contracting Officer.

J. Protest Procedure

1. All protests are subject to, and shall follow, the process provided below.
2. Failure of a prospective Service Provider to comply with any of the requirements of the protest procedures set forth below in item K, will render a protest inadequate and will result in rejection of the protest by the AOC. Such failure and subsequent rejection shall act to further forfeit the right of the prospective Service Provider to continue the protest, and is not appealable under this protest procedure.
3. A protest may only be based upon allegedly restrictive requirement in the RFQ or upon alleged improprieties in regard to the AOC's execution of its responsibilities with regard to receipt and evaluation of the RFQs, but only as such responsibilities are specified in the RFQ document.

a. Protests Based On Allegedly Restrictive Requirements:

Protests alleging restrictive requirements in the RFQ must be submitted and will be subject exclusively to the provisions of Section B of these Administrative Rules. Any protest alleging restrictive requirements in the RFQ raised later than as specified in Section C will not be considered a valid protest, will be rejected by the AOC, and the prospective Service Provider shall have no further recourse under this procedure, including no further right of appeal.

b. Protests Based on Alleged Improprieties in Regard to the AOC's Execution of its Responsibilities:

A prospective Service Provider who has actually submitted an RFQ may protest the AOC's rejection of its RFQ for failure to comply with the requirements of the RFQ, or upon the basis of an allegation of improprieties with regard to the AOC's responsibility to fairly and impartially evaluate the RFQs and make

awards, but only insofar as such responsibilities are specified in the RFQ document. In order to be accepted as valid, such protests must meet at least one of the following conditions and must be submitted in writing with the required documentation specified below:

- a. If an RFQ is rejected because of an alleged failure to provide the RFQ to the AOC on or before the date and time due, and/or to the place required, and/or to otherwise properly provide the RFQ with regard to any other requirement necessary to make a correct submission as specified by the RFQ the prospective Service Provider may file a protest. Said protest must provide verifiable documentation that it has submitted an RFQ in compliance with all the RFQ's directives regarding timeliness, place of delivery and/or other required aspects necessary to make a submission. Such protests must be filed within (5) full AOC business days following the date of dispatch of the notice of rejection.
- b. If an RFQ is rejected because the RFQ submitted is incomplete with regards to the materials required to make a submission, or fails to meet any other material requirement of the RFQ, the prospective Service Provider may file a protest. Said protest must provide a written explanation which alleges to reasonably demonstrate that the RFQ submitted was in fact complete and/or is in fact in compliance with the RFQ requirement(s) in question. Such protests must be filed within (5) full AOC business days following the date of dispatch of the notice of rejection.
- c. If an RFQ fails to win an award or qualify the prospective Service Provider for a short listing for further evaluation and the prospective Service Provider alleges that said failure was due to a failure of the AOC to fairly and impartially execute its responsibilities with regard to evaluation and award of the work as such responsibilities were specified in the RFQ, the prospective Service Provider may file a protest.
- d. Said protest must provide a written explanation which alleges to reasonably demonstrate in what manner the AOC has failed to fairly and impartially execute said responsibilities. Such protests must be filed within (5) full AOC business days following the date of posting of award notices to the AOC website for the RFQ.

In order to be considered valid, all such protests to be submitted:

1. Must be submitted by e-mail to the e-mail address established for the submission of questions in the RFQ document. PDF documents may accompany the e-mail as further detailed below.
2. Must include the name, address, telephone and facsimile numbers, and email address of the party protesting or their representative.

3. Must provide the title of the solicitation document under which the protest is submitted.
4. Must provide a detailed description of the specific legal and/or factual grounds for the protest and all supporting documentation and evidence available to the protesting party. PDF files of documents are acceptable, but the AOC reserves the right to require originals if it so deems necessary. If the protestor fails to include documentation or evidence which could have reasonably been provided at the time the protest is made, such failure shall act to restrict the introduction of such evidence at a later date.
5. Must provide a detailed description of the specific ruling or relief requested.
6. Must cite **all** protests that the prospective Service Provider intends to make. Failure to raise a protest in the initial protest submittal shall act to disqualify the raising of that protest at a later date.

Any protest failing to meet or provide the appropriate requirements as noted above shall not be considered valid and will be rejected as non-compliant by the AOC and the prospective Service Provider shall have no further recourse under this procedure, including any right of appeal.

If the course of investigation of a protest and when the AOC deems necessary, the AOC may request and protestor shall make best efforts to provide further evidence or documentation as requested by the AOC.

The existence of a protest will in no way act to restrict the right of the AOC to proceed with the procurement. The AOC, at its sole discretion, may elect to withhold the contract award(s) until the protest is resolved or denied or may proceed with the award as it deems in the best interests of the State of California.

K. Protest Decisions

The protest will be forwarded to the appropriate Contracting Officer at the AOC, who will assess the protest submission for compliance with the requirements of these Administrative Rules, and, if deemed a valid protest under said rules, shall examine the issues raised and materials provided. Invalid protests shall be returned accompanied with a statement detailing the aspects of the protest submitted that failed to comply with the Administrative Rules.