

Request for Proposals (RFP)

PROGRAM MANAGEMENT SERVICES

The Judicial Council of California seeks Proposals from qualified firms to provide professional Program Management Services to support its Facilities Services division.

RFP Number: RFP-FS-2025-07-MY

PROPOSALS DUE:

Tuesday, November 18, 2025

NO LATER THAN 3:00 PM PACIFIC TIME (PT)



Judicial Council of California



JUDICIAL COUNCIL OF CALIFORNIA

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REQUEST FOR PROPOSALS

Date

October 16, 2025

To

Program Management Firms

From

Judicial Council of California, Facilities Services

Subject

RFP Number: RFP-FS-2025-07-MY

Program Management Services

Facilities Services

Action Requested

Send Proposals to:

Via email as described in item 5 of RFP Schedule of Events:

Email Written Proposals to:

fs202507my.soq@jud.ca.gov

Email Cost Proposals to:

fs202507my.cost@jud.ca.gov

Deadline

Tuesday, November 18, 2025, no later than 3:00 PM (PT)

Contact

solicitations@jud.ca.gov

RFP SCHEDULE OF EVENTS (Subject to Change at Judicial Council's Discretion)		DATES/TIMES (PT)
1	Branch Accounting & Procurement to Advertise RFP.	Thursday, October 16, 2025
2	Pre-Proposal Meeting (optional) via Microsoft Teams Webinar: Mandatory pre-registration form: CLICK HERE (Registered parties will receive an email confirmation which contains the Pre-Proposal Meeting link)	Monday, October 27, 2025, at 1:00 PM
3	Deadline for Submittal of Firm's Requests for Clarifications or Questions Regarding the RFP. Send to: Solicitations@jud.ca.gov . Refer to Attachment 6.	Monday, November 3, 2025, by 3:00 PM
4	Modifications and/or Responses to Questions Posted on Judicial Council Website: http://www.courts.ca.gov/rfps.htm	Monday, November 10, 2025
5	<u>Submittal Deadline for Proposals</u> Email Written Proposal to: fs202507my.soq@jud.ca.gov Email Cost Proposal to: fs202507my.cost@jud.ca.gov	Tuesday, November 18, 2025, by 3:00 PM
6	Notice of Shortlist Posted and Notification of Interviews Date and Time (Estimated) – Interviews Will Be Held Remotely Via Microsoft Teams	Monday, December 1, 2025
7	Interviews of Firms (Estimated) - Times to be Determined	Thursday, December 4, 2025
8	Notice of Intent to Award (Estimated)	Thursday, December 11, 2025
9	Execute Agreement (Estimated)	Tuesday, January 13, 2026
10	Contract Start Date (Estimated)	Tuesday, January 13, 2026

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ATTACHMENT 1:	Administrative Rules Governing RFPs (Non-IT Services)
ATTACHMENT 2:	Form of Program Management Services Agreement
ATTACHMENT 3:	Consultant Personnel Billing Rates
ATTACHMENT 4:	General Certifications Form
ATTACHMENT 5:	Darfur Contracting Act Certification Form
ATTACHMENT 6:	Form for Submission of Questions
ATTACHMENT 7:	Iran Contracting Act Certification <i>[for solicitations of \$1,000,000 or more]</i>
ATTACHMENT 8:	Unruh Civil Rights Act and California Fair Employment and Housing Act Certification <i>[for solicitations of \$100,000 or more]</i>

1. GENERAL INFORMATION

- 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, designing, constructing, repair, and maintenance of court facilities for the Superior and Appellate Courts of California.
- 1.2. **Program Description.** Facilities Services is responsible for the Judicial Branch’s portfolio of approximately 430 properties throughout the state and oversees the project management, operation, and maintenance for those properties. Facilities Services is also responsible for overseeing the construction of 80 capital projects which were identified in 2019 prioritization. Currently, 22 projects are funded for a total project cost of \$4 billion. In addition, Facilities Services oversees approximately 1,300 facility modification projects annually, with an annual facilities modification FM budget of \$80 million, including but not limited to special projects for new judgeships, development of lactation facilities, deferred maintenance, and other projects.
- 1.3. **Purpose of Request for Proposals.** Judicial Council, through this Request for Proposal for Program Management Services (“RFP”), is soliciting proposals as set forth below (“Proposal(s)”) from qualified firms, partnerships, corporations, associations, persons, or professional organizations (“Firm(s)”) to provide Program Management Services (“Services”) described in Paragraph 1.4. The current program management services contract will expire on June 21, 2026. To ensure a smooth transition, the Judicial Council is planning for approximately five (5) months’ overlap between the existing consultant and the selected Firm. The selected Firm will be expected to provide full-time support to Facilities Services.
- 1.4. **Services.** The selected firm will assist Facilities Services with prioritization of potential projects using the Judicial Council’s established methodology; provide budgeting support for the program and individual projects; coordinate stakeholder communication and conduct stakeholder surveys to gauge program effectiveness; collaborate with internal stakeholders to prepare updates to contract documents, policies and procedures; provide general governance support, training, and analysis; maintain document management and analytics platforms used by the Judicial Council; provide support to Project Management, including construction scheduling analysis, cost estimating, constructability reviews, and project reporting; support Quality Compliance with its triennial updates of the Trial Court Facilities Standards; provide analytical support to Sustainability; and more, as detailed in Attachment 2, Appendix A “Scope of Services, which is incorporated herein by reference.

Firms must be technically and financially capable of providing all Services listed in Exhibit B of Attachment 2. The selected Firm shall be Judicial Council's representative and shall work under the direction of Facilities Services’ Director or their designee. To the extent required, 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 and shall have experience supporting public works programs of similar size, complexity, and nature as the Judicial Council’s program. The selected Firm must have experience utilizing alternative delivery methods for large-scale capital project delivery.

- 1.5. **Term and Option Term.** The initial term of the Program Management Services Agreement (“Agreement”) shall be one (1) year. The Council may, at its sole option, extend the Agreement for nine (9) additional one-year terms.

2. RESPONDING TO THE RFP

- 2.1. **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.

- 2.2. **Questions.** Firms may submit requests for clarifications or questions on the Form for Submission of Questions provided as Attachment 6 to this RFP. Forms shall be submitted to Judicial Council via e-mail to 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 Judicial Council shall be made only through email; telephone calls will not be accepted. If a Firm submits questions or contacts any agent or employee of Judicial Council other than in the manner indicated in this RFP, Judicial Council may deem the Firm's Proposal non-responsive and reject it.
- 2.3. **Errors in the RFP.** If a Firm discovers any ambiguity, conflict, discrepancy, omission, or other error in this RFP, the Firm shall provide 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, Judicial Council may, at its discretion, modify the RFP prior to the date fixed for the 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 Judicial Council shall submit its Proposal at its own risk, and if the Firm(s) is awarded the Agreement, it shall not be entitled to additional compensation or time by reason of the error or its later correction.
- 2.4. **Addenda.** The RFP and all addenda will be posted at <http://www.courts.ca.gov/rfps.htm>. Firms must monitor that website for all information regarding this RFP. The Judicial Council is not responsible for sending individual notification of changes or updates. It is the sole responsibility of the Firms to remain apprised of changes to the RFP.
- 2.5. **Submitting Proposals.**
 - 2.5.1. **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, Judicial Council reserves the right to negotiate extensions to this period with Firms. Judicial Council may release all offers not selected under this RFP upon award and execution of the Agreement.
 - 2.5.2. **Proposal Elements.** Responsive proposals shall be compiled as follows:
 - 2.5.2.1 **Written Proposal.**
 - 2.5.2.1.1 Firm's Statement of Qualifications ("SOQ") as indicated in 2.5.3 below
 - 2.5.2.1.2 General Certifications Form, completed Attachment 4
 - 2.5.2.1.3 Darfur Contracting Act Certification, completed Attachment 5
 - 2.5.2.1.4 Iran Contracting Act Certification, completed Attachment 7 (if applicable)
 - 2.5.2.1.5 Unruh Civil Rights Act and California Fair Employment and Housing Act Certification, completed Attachment 8
 - 2.5.2.1.6 Payee Data Record (STD 204) which must be completed in the exact name of the business entity under which the Firm proposes to do business with the Judicial Council. The Payee Data Record (STD 204) is available at the following link:
<https://www.documents.dgs.ca.gov/dgs/fmc/pdf/std204.pdf>.

Additionally, if necessary, the Payee Data Record Supplement (STD 205) is required (i) if Consultant's remittance address information is different than the mailing address on the Payee Data Record (STD 204); (ii) for multiple remittance addresses, and (iii) for additional Authorized Representatives of the Payee not identified on the Payee Data Record (STD 204). The Payee Data Record Supplement (STD 205) is available at the following link:
<https://www.documents.dgs.ca.gov/dgs/fmc/pdf/std205.pdf>.

2.5.2.2 **Cost Proposal.**

2.5.2.2.1 Consultant Personnel Billing Rates, completed Attachment 3.

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

2.5.3.1 **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 Proposal on behalf of the Firm.

2.5.3.2 **Table of Contents.** A table of contents of the material contained in the RFP should follow the letter of interest.

2.5.3.3 **Executive Summary.** The executive summary should contain an outline of Firm's program management approach, along with a brief summary of Firm's qualifications and experience, including its experience designing and implementing administrative systems to support major public infrastructure programs, including policy and procedure development, contract drafting, financial analysis, and program evaluation.

2.5.3.4 **Firm Information.** Provide a comprehensive description of the program management services offered by Firm. The description should include the following:

2.5.3.4.1 **Firm History.** Provide a brief history of the Firm. If submitting as a joint venture, provide a brief history of each participating Firm and a history of the joint venture, and identify each Firm's role and responsibilities. Identify the legal form, ownership, and senior officials of the company(ies). Describe the number of years in business and types of business conducted, including experience with the design build delivery method.

2.5.3.4.2 **Licensure.** Provide documentation demonstrating that the Firm will provide program management services by a licensed architect, a registered professional engineer or General Contractor.

2.5.3.4.3 **Firm Philosophy.** Describe the Firm's philosophy and how the Firm intends to work with Judicial Council's administration officials to perform the Services, including working with Judicial Council's staff to respond to the unique challenges of Judicial Council's requirements.

2.5.3.5 **Key Personnel/Team.**

2.5.3.5.1 **Staffing Plan.** Provide a staffing plan for the Services. Final staffing may be reviewed and negotiated with Judicial Council after selection.

2.5.3.5.2 **Personnel Experience.** The 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

Principal Consultant (Program Manager), Sr. Project Manager, Specialty Consultants, Programming Consultant, Cost model Consultant, Sr. Scheduler, Sr. Cost Estimator, Construction Specialist, Software Architect/Engineer, Economist. It is the proposing Firm's responsibility to demonstrate specialized knowledge and experience required for team members, particularly on matters and tasks of similar complexity and size as those of the current Facilities Services program.

2.5.3.6 Prior Relevant Experience.

- 2.5.3.6.1 Describe Firm's experience in providing construction program management **services** to construction programs similar to the Judicial Council's program. Include programs that are within political environments including facilitation of the requirements of designated stakeholders, internal control functions, state agencies, and the legislature in the program planning and management process.
- 2.5.3.6.2 Identify ALL similarly-situated construction programs for public entities for which your Firm has provided construction program management services in the past three (3) years. Limit response to no more than the FIVE (5) MOST RECENT programs. Include the following information for each program, as applicable:
- Name of construction program and program owner or sponsor,
 - Scope of construction program and description of services provided,
 - Contact person and telephone number at construction program owner/sponsor,
 - Proposing Firm's person in charge of each construction program managed,
 - Dollar value of each construction program managed,
 - Any litigation that alleged errors or omissions by your Firm committed in providing program management services to the construction program, if any. Provide information related to the issues in the litigation, the status of litigation, names of parties, and the outcome.
- 2.5.3.6.3 Provide a description of your Firm's capability as it relates to each portion of the Services.
- 2.5.3.6.4 Describe how your Firm would add value to a specific construction program and the process for doing so. Include examples of situations from comparable construction programs where the owner realized tangible value.
- 2.5.3.6.5 Describe your Firm's approach to document management and control necessary to integrate and speed communication of critical construction program information and data.
- 2.5.3.6.6 Describe the types of problems your Firm has encountered on similar construction programs, and explain what your Firm did to resolve the problems and what your Firm would do differently to avoid similar problems on future engagements.

- 2.5.3.6.7 Describe Firm's current workload and how your Firm could accommodate the scope of work set forth in this RFQ and the Agreement.
- 2.5.3.7 **Conflict of Interest.** Provide a statement of any recent, current, or anticipated contractual obligations that relate to similar work that may have a potential to conflict with the Firm's providing the Services to the Judicial Council.
- 2.5.3.8 **Narrative Regarding Capacity.** Provide a narrative that describes the Firm's capacity to provide the resources necessary to perform all of the Services within a reasonable timeframe. These would include, but not be limited to, estimating, scheduling, claims analysis, code review, and administrative support.
- 2.5.3.9 **Prior Relevant Program Management Experience.** Describe the Firm's experience managing and supporting large scale capital programs within political environments, including specific experience with the types of tasks identified in Attachment 2, Exhibit B "Scope of Services."
- 2.5.3.10 **References.** Include a list of no more than five (5) references with contact information (email and phone number). Firms shall not submit individuals working for Judicial Council as references.
- 2.5.4. **Cost Proposal.** Firms shall provide a Cost Proposal in the form of completed Attachment 3, Consultant Personnel Billing Rates. The Cost Proposal shall be hourly rates for the categories of key personnel. The Firm's hourly rates shall include, without limitation, all costs for overhead, personnel, administration, profit, travel, per diem expenses, deliverables, printing, and shipping, under the Agreement. Cost Proposals shall be confidential until Judicial Council executes a contract with the selected Firm.
- 2.5.4.1 **Hourly Rates.** The hourly rates in the Cost Proposal will be used for evaluation purposes as set forth in in Attachment 3 – Consultant Personnel Billing Rates. The hourly rates shall be the rates charged for Services performed under the Agreement. Judicial Council may add positions as needed. The scope and schedule of Services requested by Judicial Council shall be subject to negotiation.
- 2.5.5. **Media Format of Proposals.** Firms shall provide proposals in the media format as follows:
- 2.5.5.1 The Firm'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.
- 2.5.5.2 The Cost Proposal - Attachment 3, Consultant Personnel Billing Rates, in PDF format. It 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.
- 2.5.5.3 The Cost Proposal shall not be combined or incorporated in any way with the Written Proposal.
- 2.5.6. **Method of Submission.** Judicial Council is currently accepting Proposals in an electronic format. Firms must submit proposals in two separate files: (1) Firm's Written Proposal of the SOQ and accompanying administrative documents; and (2) Firm's Cost Proposal - Attachment 3, Consultant Personnel Billing 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.

- 2.5.6.1 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. Judicial Council shall provide a confirmation that a Firm's Proposal has been received.
- 2.5.6.2 Firms shall make an effort to compress the Written Proposal file to less than 30MB in size. If the file cannot be reduced to below 30MB, then Firms shall divide the file into 30MB increments and submit it in multiple emails. The subject line in each email shall reference which portion of the Proposal is attached (for example: Part 1 of 3). Judicial Council is not responsible for submissions which are rejected by Judicial Council's email server due to excessive file size.

2.5.7. **Submission Timeliness.** Firms 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.

3. STANDARD AGREEMENT AND SCOPE OF SERVICES

- 3.1. **Agreement.** Attached hereto as Attachment 2 is the Judicial Council's form of Program Management Services Agreement ("Agreement"), including the indemnification and insurance provisions that Judicial Council will include in that Agreement. Judicial Council reserves the right to modify or update the Agreement at any time until an award and execution of the Agreement with the selected Firm.
- 3.2. **Scope of Services.** The detailed scope of Services, tasks, and work ("Services") that the selected Firm will be required to perform are set forth in Appendix A to the Agreement. Firm must be technically and financially capable of providing all the Services identified. Firm shall be Judicial Council's representative and shall work under the direction of a Judicial Council Project Manager.
- 3.3. **Acceptance of the Terms and Conditions.** By submitting a Proposal in response to this RFP, the Firm indicates its acceptance of the terms and conditions of the Agreement (Attachment 2).
- 3.4. **DVBE.** Judicial Council has a contract participation goal of a minimum of three percent (3%) for Disabled Veteran Business Enterprises ("DVBEs"). Information about DVBE resources can be found on the California Department of General Services' website at <http://www.dgs.ca.gov>, or by emailing 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 Firm's Proposal and is to be submitted only by the Firm selected to perform the Services.

4. EVALUATION AND SELECTION PROCESS

- 4.1. **Evaluation Process Overview.** The basis for selection of a Firm to provide Services in response to this RFP consists of a two-step evaluation. For Step 1, Step 1a – Evaluation of Qualifications is an evaluation of the Firm's qualifications based on the Written Proposal; and Step 1b – Qualifications Interviews/References is the conducting of interviews and reference checks which may impact and adjust the final score awarded to the Firm's SOQ. Step 1 scores will be finalized prior to commencement of Step 2. Step 2 – Evaluation of Cost Proposal 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. Judicial Council reserves the right to reject any Firm's Proposal due to non-responsiveness to this RFP.

- 4.2. **Step 1a – Evaluation of Qualifications.** Judicial Council will evaluate SOQs and award points within the individual categories below. After evaluating and scoring the SOQs, Judicial Council will establish a shortlist of the highest scoring Written Proposals. Judicial Council will post the shortlist on the website publishing

this RFP. Interviews of the Firms that have been shortlisted will be held, which may result in adjustment of points awarded to specific categories.

WEIGHT	QUALIFICATIONS TO BE EVALUATED
5 points	Firm Qualifications Judicial Council will evaluate the Firm’s capacity to perform the proposed Services. 1. Demonstrated record that Firm has delivered high quality construction program management services and has an approach to service delivery that will result in effective program management.
5 points	Previous Experience (Firm) Judicial Council will evaluate the qualifications and experience of the Firm’s proposed team based on their performance of services for programs with similar size and scope over the last three (3) years. 1. Proposed Principal Consultant and Team. A. Experience with similar types of public capital programs and project portfolios. B. Experience with programs using design build, Construction Manager At-Risk, and Design Bid Build, and other delivery methods. C. Experience with capital program planning, program evaluation, policy development support, and development and implementation of staff training programs.
15 Points	Technical Expertise 1. Public administration expertise. Are there resources identified to provide broad public administration support to a statewide capital program, including policy and systems management? (10 points) 2. Key Personnel Resources. Are there resources identified to provide scheduling, estimating, cost modeling, architectural, engineering, sustainability, economic analysis, and data analysis services for the program? (5 points)
15 Points	Resources 1. Ability to provide staff augmentation: Provide dedicated personnel to support, scheduling, funding, budgeting and stakeholder coordination. 2. Ability to provide a centralized digital platform for tracking progress, budgets, documents and communications. 3. Ability to assess the program and provide tools, expertise for cost control, schedule management and risk mitigation. 4. Ability to review different governance models and funding models.
25 Points	Key Personnel 1. Provide educational background, experience, and qualifications for all Key Personnel: a. Principal Consultant (Program Manager) (5 points) b. Sr. Project Manager (3 points) c. Specialty consultant (s) (4 points) d. Cost model consultant (2 points) e. Programming consultant (1 point) f. Architect (1 point) g. Fire life safety engineer (1 point) h. Sr. Scheduler (1 point) i. Sr. Cost estimator (1 point) j. Construction specialist (1 point) k. Software engineer (1 point) l. Software architect (1 point) m. Sustainability consultant (1 point) n. Economist (1 point) o. Data Analyst (1 point)

WEIGHT	QUALIFICATIONS TO BE EVALUATED
5 Points	Staff Availability - Proposed staffing levels based on scope, including estimated hours dedicated to the Judicial Council (3 points) - Location of Key Staff and availability for local in-person meetings in San Francisco or Sacramento? Would travel costs be required for those meetings? (2 points)
30 Points	Pricing The basis of the evaluation and subsequent award of points for the Firm's Cost Proposal (Cost Proposal) are detailed in Attachment 3 – Consultant Personnel Billing Rates and Section 4.4 below.
N/A	Interview Judicial Council shall award no points directly for interview performance; however, the interview process will be used to confirm the Firm's qualifications and Judicial Council may, in its discretion, adjust the points afforded to the Firm in the above categories as a result of the interview.
N/A	References Judicial Council may contact any reference listed by a Firm to verify the experience and performance of the Firm, key personnel, and subconsultants. Judicial Council shall award no points directly for reference responses; however, the reference process will be used to confirm the Firm's qualifications and Judicial Council may, in its discretion, adjust the points afforded to the Firm in the above categories as a result of reference input.

4.3. **Step 1b - Qualifications Interview/References.**

- 4.3.1. 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.
- 4.3.2. After completing interviews, Judicial Council may, in its discretion, contact a Firm's references.
- 4.3.3. After all interviews are completed and references have been checked, qualification scores will be finalized to identify the points awarded for each Firm in Step 1.

4.4. **Step 2 - Evaluation of the Cost Proposal.**

- 4.4.1. A maximum of 30 points will be awarded for the Cost Proposal.
 - 4.4.1.1 The basis of the evaluation and subsequent award of points for the Firm's Cost Proposal (Cost Proposal) criteria shall be the composite hourly rate for the key personnel positions listed in Attachment 3 – Consultant Personnel Billing Rates. The composite hourly rate will be determined by multiplying the proposed hourly rate for each position by the designated weight factor listed in Attachment 3 Table A. The adjusted proposed rates will then be totaled to identify the composite hourly rate.

The lowest composite hourly rate submitted will receive the maximum points available. The points awarded for the remaining Cost Proposals submitted will be calculated by 1) identifying the ratio of the lowest composite hourly rate to the composite hourly rate being evaluated and 2) multiplying that ratio by the maximum number of points available. By way of example, if the composite hourly rate of the Cost Proposal being evaluated is twice that of the Cost Proposal with the lowest composite hourly rate, then the Cost Proposal being evaluated will receive half of the maximum number of points available.

- 4.5. **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 Written Proposal and Cost Proposal score (Total Score) is 100 points.
- 4.6. **Preclusion.**
- 4.6.1. The Judicial Council will not select a Firm to provide the Services if that Firm is already under contract with the Judicial Council and is performing as a construction manager-at-risk, prime construction contractor, criteria architect, or design/builder on any construction project.
- 4.6.2. While under contract and performing the Services, selected Firm may not propose to be a Construction Manager-at-Risk, Design Build Entity, prime construction contractor, criteria architect, or designer/builder on a construction project.
- 4.7. **Selection of Firm.** The Judicial Council shall award the contract to the highest ranked Firm. If, for any reason, the highest ranked Firm fails to enter into the contract within thirty (30) calendar days of notification of selection, Judicial Council reserves the right, in its sole discretion, to contract with the next highest ranked Firm. This process shall continue, in Judicial Council's discretion, until Judicial Council reaches an agreement with a Firm or Judicial Council elects to discontinue the solicitation.

5. ADMINISTRATIVE RULES GOVERNING RFPs

- 5.1. 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.
- 5.2. 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 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.
- 5.3. California Rules of Court, Rule 10.500 – Public Access to Judicial Administrative Records. Records created as part of a Firm's Proposal and solicitation process are generally subject to California Rules of Court, Rule 10.500 and may be available to the public following contract award absent an exemption. Information required in the Proposal that is not otherwise subject to disclosure under Section 68106.2 and Rule 10.500 of the California Rules of Court shall not be open to public inspection. If a Firm's Proposal contains material noted or marked as confidential and/or proprietary that, in Judicial Council's sole opinion, meets the disclosure exemption requirements of Rule 10.500, then that information will not be disclosed pursuant to a request for records. If Judicial Council does not consider such material to be exempt from disclosure under Rule 10.500, the material will be made available to the public, regardless of the notation or markings. If a Firm is unsure if the information contained in its Proposal is confidential and/or proprietary, then it should not include the information in its Proposal. A Firm that indiscriminately identifies all or most of its Proposal as exempt from disclosure may be deemed non-responsive.

6. PROTESTS

- 6.1. Protests will be handled in accordance with Section J of the Administrative Rules governing this RFP which can be found in Attachment 1. Failure of a Firm to comply with the protest procedures set forth in Section J will result in rejection of the protest. The deadline for a Firm to submit a protest challenging this RFP, including any attachment, or portions thereof, is two (2) days before the Proposal due date. Protests must be sent electronically to: Solicitations@jud.ca.gov.

END OF RFP