

REQUEST FOR PROPOSALS

JUDICIAL COUNCIL OF CALIFORNIA

REGARDING:

BINDERY MAINTENANCE SERVICES
RFP # LSS-2024-01-AC

PROPOSALS DUE:

August 14, 2024, NO LATER THAN 1:00 P.M. PACIFIC TIME

1.0 BACKGROUND INFORMATION

1.1 The Judicial Council of California (“Judicial Council”) is the chief policy making agency of the California judicial system. The California Constitution directs the council to improve the administration of justice by surveying judicial business, recommending improvements to the courts, and making recommendations annually to the Governor and the Legislature. The council also adopts rules for court administration, practice, and procedure, and performs other functions prescribed by law. The Judicial Council is comprised of various levels of staff that support and assist the council and its chair in performing their duties.

1.2 The Judicial Council maintains an on-site Print Shop which is located at **455 Golden Gate Avenue, 1st Floor, in San Francisco, CA**. The Print Shop is responsible for providing high quality printing and bindery services to the Judicial Council staff.

2.0 DESCRIPTION OF SERVICES AND DELIVERABLES

- 2.1 The Print Shop is seeking proposals from qualified suppliers to provide:
- a. On-site maintenance of print shop equipment listed in **Section 2.3** below - four (4) annual preventative maintenance service calls which shall be approximately one (1) each quarter: Provide all tools necessary to complete on-site maintenance.
 - b. Unlimited number of service calls during the year for unanticipated maintenance or when a piece of equipment becomes inoperable.
 - c. All necessary parts, as required to repair equipment. Parts shall be in new condition, unless otherwise pre-approved by Print Shop Project Manager.
 - d. Telephone consultation support to trouble shoot issues on the equipment listed in **Section 2.3** below.
 - e. Include cutter blade sharpening, at least quarterly, or as requested.

2.2 The services specified in this RFP are expected to be performed by the selected Proposer **for an initial one-year period** commencing on **September 1, 2024**, and ending on **August 31, 2025**, with additional annual service renewals in one (1) year increments for a maximum of **four (4) option terms**. Service renewals will be at the sole discretion of the Judicial Council Print Shop and will be exercised upon satisfactory performance during the preceding year.

2.3 Judicial Council Print Shop equipment to be covered during this maintenance agreement includes the following:

	Equipment Description	Model #	Serial #	MFY	Last Svc.	Cond.
1	Challenge Cutter 305XT*	CMC214I	10X1531	2010	7/1/2024	Operational
2	James Burns Docupunch Plus	P33-US	176	2017	2/2/2024	Operational
3	James Burns Koilmatic	PBS-2800	6186	2019	3/1/2024	Operational
4	Rhino Tuff Punch	HD 7,000	701903	-	4/2/2024	Operational

5	Baum 714 LTD Folder	1620A-3-P-3	260A030104	-	6/3/2024	Operational
6	Challenge Drill	EH-3C	75340	-	3/2/2023	Operational
7	Duplo Booklet Maker	DSF-2200, DBM-600, DBM-600T, AutoSpine Master	190200015, 190100148, 180900244, WA/ASM/2193	-	7/1/2024	Operational
8	Fujipla Laminator	ALM-3230	0000191	-	-	Operational
9	Count Ezcreaser	-	ER1180713-11- 203540	2013	2/1/2023	Operational

* Service must include blade change and sharpening (we do have an extra blade).

2.4 From time to time, the Judicial Council Print Shop may upgrade or replace bindery equipment. If the new equipment replaces any of the above listed equipment, the older equipment will be removed and the new equipment will take its place with no additional changes to the annual fee.

2.5 Judicial Council Print Shop hours are **8:00 A.M to 5:00 P.M**, Monday through Friday. No Services will be required for after hours, weekend or holidays.

2.6 All services, with the exception of cutter blade sharpening, will be done at **455 Golden Gate Avenue, 1st Floor, San Francisco, CA**. Building access requires Contractor to pass through a security check point. Contractor’s bringing tools should access the building at the loading dock located on Larkin Street and proceed to the security check point.

2.7 Judicial Council requires a **two (2) hour** response time by the technician. Response time shall be via a telephone call to the Judicial Council Print Shop Project Manager to discuss the problem and/or schedule arrival time for the service call.

3.0 TIMELINE FOR THIS RFP

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

EVENT	DATE
RFP issued	July 23, 2024
Deadline for questions to: Solicitations@jud.ca.gov	July 31, 2024 by 1:00 pm (Pacific Time)

EVENT	DATE
Questions and answers posted (<i>estimate only</i>) www.courts.ca.gov/rfps.htm	August 5, 2024
Register for On-Site Equipment Inspection	August 6, 2024 by 4:00 PM to: Shawn.perkins@jud.ca.gov
Pre-proposal Optional On-Site Equipment Inspection from 10am – 11am at location listed in 2.6 above.	August 8, 2024
Latest date and time proposal may be submitted: to Solicitations@jud.ca.gov	August 14, 2024 By 1:00 PM (Pacific Time)
Evaluation of proposals (<i>estimate only</i>)	August 15, 2024 - August 21, 2024
Notice of Intent to Award (<i>estimate only</i>) www.courts.ca.gov/rfps.htm	August 22, 2024
Negotiations and execution of contract (<i>estimate only</i>)	August 29 – August 30, 2024
Contract start date (<i>estimate only</i>)	September 1, 2024
Contract end date (<i>estimate only</i>)	August 31, 2025

4.0 RFP ATTACHMENTS

The following attachments are included as part of this RFP:

ATTACHMENT	DESCRIPTION
Attachment 1: Administrative Rules Governing RFPs (Non-IT Services)	These rules govern this solicitation.
Attachment 2: JBE Standard Terms and Conditions	<p>If selected, the Bidder must have an authorized representative sign this Judicial Council Standard agreement containing these terms and conditions (the “Terms and Conditions”). If any exceptions to the Judicial Council Standard Agreement are identified or additional provisions proposed, the Proposer must also submit a redlined version of the Terms and Conditions with its Proposal that clearly identifies all proposed changes and provides a written explanation or rationale for each proposed change.</p> <p>Notwithstanding any other provision in this RFP, the Council reserves the right at its discretion to negotiate any or all items with individual Proposers, including the right to propose or require additional terms and conditions for the agreement prior to agreement execution.</p>
Attachment 3: Proposer’s Acceptance of Terms and Conditions	On this form, the Proposer must indicate acceptance of the Terms and Conditions or identify exceptions to the Terms and Conditions.
Attachment 4: General Certifications Form	The Proposer must complete the General Certifications Form and submit the completed form with its proposal.
Attachment 5: Darfur Contracting Act Certification	The Proposer must complete the Darfur Contracting Act Certification and submit the completed certification with its proposal.
Payee Data Record Form (STD204) at: https://www.documents.dgs.ca.gov/dgs/fmc/pdf/std204.pdf	This form contains information the JBE requires in order to process payments and must be submitted with the proposal.
Payee Data Record Supplement (STD205) at: https://www.documents.dgs.ca.gov/dgs/fmc/pdf/std205.pdf	This form is optional. This form is used to provide remittance address information if different than the mailing address on the STD 204 – Payee Data Record. Use this form to provide additional remittance addresses and additional Authorized Representatives of the Payee not identified on STD 204.
Attachment 6: Unruh and FEHA Certification	The Proposer must complete and submit with its proposal
Attachment 7: Bidder Declaration	The Proposer must complete and return this form with the proposal only if Proposer wishes to claim the DVBE incentive associated with this RFP.

Attachment 8: DVBE Declaration	Complete and return this form with the proposal only if Proposer wishes to declare DVBE status.
Attachment 9: Reference Form	The proposer must complete and return this form with its proposal.

5.0 PAYMENT INFORMATION

5.1 Subject to the terms in Attachment 2, Appendix B, Payment Provisions, the resulting contract will be an annual firm fixed cost and made in advance on an annual basis in a single lump sum. Cost will be inclusive of all the Deliverables specified in Section 2.0 above.

5.2 The available fund for each one-year term of the inclusive services in this RFP is estimated to be \$25,000.00.

6.0 OPTIONAL PRE-PROPOSAL ON-SITE EQUIPMENT INSPECTION

The Judicial Council will hold a pre-proposal on-site equipment inspection on **August 8, 2024**, from 10am-11am at the below location (1 hour):

Judicial Council of California
Print Shop
455 Golden Gate Avenue, 1st Floor
San Francisco, CA 94102
415.865.4212

Proposers are encouraged to attend the pre-proposal inspection. Proposer's who wish to attend the inspection must pre-register by submitting an email request, listing the Company name and all parties who are attending. The email request must be sent to Shawn.perkins@jud.ca.gov no later than 4:00 P.M., on **August 6, 2024**.

Attendees should allow a few minutes time to pass through Security screening. Once in the lobby, proposers should call the Print Shop at 415.865.4212 to gain entry into the location.

7.0 SUBMISSIONS OF PROPOSALS

7.1 Proposals should provide straightforward, concise information that satisfies the requirements of the "Proposal Contents" section below. Emphasis should be placed on conformity to the RFP's instructions and requirements, and completeness and clarity of content.

- 7.2 The Proposer must submit its proposal in two parts, non-cost and the cost proposal.
- a. **Part 1 – Non-Cost Proposal** - The Proposer must submit via email their non-cost portion as a separate Attachment from the Cost Proposal to the **Solicitations Mailbox** at solicitations@jud.ca.gov. The Non-Cost Proposal must be signed by an authorized representative of the Proposer. The Proposer must indicate on the Subject line of the submission email the RFP title and number and indicate the RFP number and title on the Proposal attachments.
 - b. **Part 2 - Cost Proposal** - The Proposer must submit via email their Cost Proposal as a separate Attachment from the Non-Cost Proposal to the **Solicitations Mailbox** at solicitations@jud.ca.gov. The Proposer must indicate on the Subject line of the submission email the RFP title and number and indicate the RFP number and title on the Proposal attachments. Pricing should include all requirements identified in Section 2.0.
- 7.3. Submission acceptance for the Proposal will be based on the date and time the emails are received by the Judicial Council. Proposals must be received **prior** to the due date and time, or the proposal will not be accepted. Due to the potential for email transmission delays, which may cause late receipt and non-acceptance of proposals, it is recommended that Proposers email their proposals well in advance of the due date and time.
- 7.4. Late proposals will not be accepted. However, as necessary, the Council may request clarification from Proposers after the submission of proposals.
- 7.5 The Council reserves the right to reject any and all proposals, in whole or in part, as well as the right to issue similar RFPs in the future. This RFP is in no way an agreement or contract and does not create any obligation to form a contract. The Council and/or the State of California shall not be responsible for the cost of preparing a proposal. Submitted proposals may be retained for official files and may become a public record.

8.0 PROPOSAL CONTENTS

- 8.1 Technical (Non-Cost) Proposal. The following information must be included in the technical proposal. A proposal lacking any of the following information may be deemed non-responsive.
- a. The Proposer's name, address, telephone and fax numbers, and federal tax identification number. Note that if the Proposer is a sole proprietor using his or

her social security number, the social security number will be required before finalizing a contract.

- b. Name, title, address, telephone number, and email address of the individual who will act as the Proposer's designated representative for purposes of this RFP.
- c. Names, addresses, and telephone numbers of a minimum of **three (3)** clients for whom the Proposer has conducted similar services. The JBE may check references listed by the Proposer (**Attachment 9** – Reference Form).
- d. Proposed method to complete the work.
 - i. Proposer is expected to complete most work on-site at the Judicial Council Print Shop, with the exception of cutter blade sharpening.
 - ii. Proposer will be expected to remove and replace cutter blade as needed and perform blade sharpening at least quarterly, or as needed.
 - iii. Proposer must have previous experience in providing the same or similar services for commercial print shops and/or for in-plant shops.
 - iv. Proposer is expected to be familiar with the equipment listed in **Section 2.3** and able to purchase and provide new parts for all equipment listed.
 - v. The proposal must cover all the above equipment. A proposal that excludes any equipment could be deemed unresponsive.
 - vi. Proposer must include a summary of the services Contractor will provide during the equipment's preventative maintenance. Include the frequency preventative maintenance is performed on each piece of equipment.
- e. For each key staff member: a resume describing the individual's qualifications and experience, as well as the individual's ability and experience in conducting the proposed activities.
- f. Acceptance of the Terms and Conditions.
 - i. On **Attachment 3**, the Proposer must check the appropriate box and sign the form. If the Proposer marks the second box, it must provide the required additional materials. An "exception" includes any addition, deletion, or other modification.
 - ii. If exceptions are identified, the Proposer must also submit (i) a red-lined version of the Terms and Conditions that implements all proposed changes, and (ii) a written explanation or rationale for each exception and/or proposed change.

Note: A material exception, as determined by the Judicial Council in its absolute and sole discretion, to any of the Terms and Conditions may render a proposal non-responsive.

- iii. Notwithstanding any other provision in the RFP, the Council reserves the right at its discretion to negotiate any or all items with individual Proposers, including the right to propose or require additional or different terms and conditions for the agreement prior to agreement execution.

- g. Certifications, Attachments, and other requirements.
 - i. The Proposer must complete the General Certifications Form (**Attachment 4**) and submit the completed form with its proposal.
 - ii. The Proposer must complete the Darfur Contracting Act Certification (**Attachment 5**) and submit the completed certification with its proposal.
 - iii. The Proposer must complete the Payee Data Record form and submit the completed form with its proposal. Form and instructions are in fillable PDF format available in the following link:
<https://www.documents.dgs.ca.gov/dgs/fmc/pdf/std204.pdf>
 - iv. Data Record Supplement STD 205 (if applicable). STD 205 is optional, and it is required only if the remittance address information is different than the mailing address on the STD 204 form. Form and instructions are in fillable PDF format available in the following link:
<https://www.documents.dgs.ca.gov/dgs/fmc/pdf/std205.pdf>
 - v. If Proposer is a California corporation, limited liability company (“LLC”), limited partnership (“LP”), or limited liability partnership (“LLP”), proof that Contractor is in good standing in California. If Contractor is a foreign corporation, LLC, LP, or LLP, and Contractor conducts or will conduct (if awarded the contract) intrastate business in California, proof that Contractor is qualified to do business and in good standing in California. If Contractor is a foreign corporation, LLC, LP, or LLP, and Contractor does not (and will not if awarded the contract) conduct intrastate business in California, proof that Contractor is in good standing in its home jurisdiction.

Note: Proposer may be required to register with the California Secretary of State if it meets the definition of transacting intrastate business or “doing Business” under the California Corporations Code. As there is no easy definition for what constitutes – even indirectly – “doing Business” in California, proposers with concerns regarding the Secretary of State registration requirements are encouraged to consult with their legal counsel.

You can find out information regarding the steps on how to register a business with the California Secretary of State at:
<https://bizfileonline.sos.ca.gov/>

- v. The Proposer must complete the Unruh Civil Rights Act and California Fair Employment and Housing Act Certification (**Attachment 6**) and submit the completed certification with its proposal.
- vi. By submitting a proposal, the Proposer certifies that: (i) it is in compliance with economic sanctions imposed pursuant to applicable laws by the U.S. government in response to Russia’s actions in Ukraine, as well as any sanctions imposed under state law (collectively, “Economic Sanctions”); and (ii) it is not a target of Economic Sanctions. If the Council determines that Proposer is not in compliance with Economic Sanctions or is a target of Economic Sanctions, that shall be grounds of rejection of its proposal.

8.2 Cost Proposal. The following information must be included in the cost proposal.

- i. A detailed line-item budget showing total cost of the proposed services.
- ii. A full explanation of all budget line items in a narrative entitled “Budget Justification.”
- iii. Table 1, with the Annual Firm Fixed Cost covering all the Deliverables specified under Section 2.0 above payable under the resulting contract, if awarded.

Table 1:

	Annual Firm Fixed Cost
Initial Term: 9/1/2024 – 8/31/2025	
First Option Term: 9/1/2025 – 8/31/2026	
Second Option Term: 9/1/2026 – 8/31/2027	
Third Option Term: 9/1/2027 – 8/31/2028	
Fourth Option Term: 9/1/2028 – 9/31/2029	
Total Cost	

NOTE: It is unlawful for any person engaged in business within this state to sell or use any article or product as a “loss leader” as defined in Section 17030 of the Business and Professions Code.

9.0 OFFER PERIOD

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

10.0 EVALUATION OF PROPOSALS

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

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

If the Judicial Council decides to issue an intent to award, the Judicial Council will post an intent to award notice at <http://www.courts.ca.gov/rfps.htm>

CRITERION	MAXIMUM NUMBER OF POINTS
Quality of Proposal submitted: Completeness and inclusion of required information in conformance with the RFP submission requirement; and clarity of the proposal content	4
Quality of work plan submitted	8
Experience on similar assignments	25
Cost	45
Credentials of staff to be assigned to the project	10
Acceptance of the Terms and Conditions: Level of Proposer's acceptance of Terms and Conditions.	5
Disabled Veteran Business Enterprise (DVBE) Incentive	3
Total Possible Points	100

11.0 INTERVIEWS

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

12.0 CONFIDENTIAL OR PROPRIETARY INFORMATION

PROPOSALS ARE SUBJECT TO DISCLOSURE TO THIRD PARTIES AND MEMBERS OF THE PUBLIC PURSUANT TO APPLICABLE LAWS, INCLUDING PUBLIC DISCLOSURE PURSUANT TO RULE 10.500 OF THE CALIFORNIA RULES OF COURT. Except as required by law, the Council will not disclose (i) social security numbers, or (ii) balance sheets or income statements submitted by a Proposer that is not a publicly traded corporation. All other information in the proposals may be disclosed in response to applicable public records requests, or as otherwise required by law. Such disclosure may be made regardless of whether the proposal (or portions thereof) is marked "confidential," "proprietary," "copyright ©," or otherwise, and regardless of any statement in the proposal (a) purporting to limit the Council's right to disclose information in the proposal, or (b) requiring the Council to inform or obtain the consent of the Proposer prior to the disclosure of the proposal (or portions thereof). Any proposal that is password protected, or contains portions that are password protected, may be rejected. Submission of any proposal pursuant to this RFP constitutes acknowledgment and consent by the Proposer to the potential public disclosure of its proposal content, as set forth in this **Section 12**. Proposers are accordingly cautioned not to include confidential, proprietary, or privileged information in proposals.

13.0 DISABLED VETERAN BUSINESS ENTERPRISE INCENTIVE

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

Eligibility for and application of the DVBE incentive is governed by Council's DVBE Rules and Procedures. Proposer will receive a DVBE incentive if, in the Council's sole determination, Proposer has met all applicable requirements. If Proposer receives the DVBE incentive, several points will be added to the score assigned to Proposer's proposal. The number of points that will be added is specified in **Section 10** above.

To receive the DVBE incentive, at least 3% of the contract goods and/or services must be provided by a DVBE performing a commercially useful function. Or, for solicitations of non-IT goods and IT goods and services, Proposer may have an approved Business Utilization Plan ("BUP") on file with the California Department of General Services ("DGS").

If Proposer wishes to seek the DVBE incentive:

1. Proposer must complete and submit with its proposal the Bidder Declaration (**Attachment 7**). The Proposer must submit with the Bidder Declaration all materials required in the Bidder Declaration.
2. Proposer must submit with its proposal a DVBE Declaration (**Attachment 8**) completed and signed by each DVBE that will provide goods and/or services in connection with the contract. If the Proposer is itself a DVBE, it must complete and sign the DVBE Declaration. If the Proposer uses DVBE subcontractors, each DVBE subcontractor must complete and sign a DVBE Declaration. NOTE: The DVBE Declaration is not required if Proposer will qualify for the DVBE incentive using a BUP on file with DGS.

Failure to complete and submit these forms as required will result in Proposer not receiving the DVBE incentive. In addition, the Council may request additional written clarifying information. Failure to provide this information as requested will result in Proposer not receiving the DVBE incentive.

If this solicitation is for IT goods and services, the application of the DVBE incentive may be affected by application of the small business preference. For additional information, see the Council's Small Business Preference Procedures for the Procurement of Information Technology Goods and Services

If Proposer receives the DVBE incentive: (i) Proposer will be required to complete a post-contract DVBE certification if DVBE subcontractors are used; (ii) Proposer must use any DVBE subcontractor(s) identified in its proposal unless the Council approves in writing the substitution of another DVBE; and (iii) failure to meet the DVBE commitment set forth in its proposal will constitute a breach of contract.

If using DVBE subcontractors, the Proposer must complete and return to the Council a copy of the post-contract certification form (<https://www.courts.ca.gov/documents/JBCM-Post-Contract-Certification-Form.docx>), promptly upon completion of the awarded contract, and by no later than the date of submission of Proposer's final invoice to the Council. If the Proposer fails to do so, the Council will withhold \$10,000 from the final payment, or withhold the full payment if it is less than \$10,000, until the Proposer submits a complete and accurate post-contract certification form.

When a Proposer fails to comply with the post-contract certification requirement in this section and a payment withhold is applied to a contract, the Council shall allow the Proposer to cure the deficiency after written notice. Notwithstanding the foregoing or any other law, if after at least 15 calendar days, but no more than 30 calendar days, from the date of the written notice the Proposer refuses to comply with the certification requirements, the Council shall permanently deduct \$10,000 from the final payment, or the full payment if less than \$10,000.

FRAUDULENT MISREPRETATION IN CONNECTION WITH THE DVBE INCENTIVE IS A MISDEMEANOR AND IS PUNISHABLE BY IMPRISONMENT OR FINE, AND VIOLATORS ARE LIABLE FOR CIVIL PENALTIES. SEE MVC 999.9.

14.0 PROTESTS

Any protests will be handled in accordance with Chapter 7 of the Judicial Branch Contracting Manual (see www.courts.ca.gov/documents/jbcl-manual.pdf). Failure of a Proposer to comply with the protest procedures set forth in that chapter will render a protest inadequate and non-responsive and will result in rejection of the protest. The deadline for the Council to receive a solicitation specifications protest is the proposal due date. In order to be considered valid, all such protests must be submitted by email to: Solicitations@jud.ca.gov (and must indicate the solicitation number and name of your firm in the subject line of your email).