

RFP Title: New Vehicle Purchase  
RFP Number: RFP-SC-91323-MS

# REQUEST FOR PROPOSALS

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***JUDICIAL COUNCIL OF CALIFORNIA ON BEHALF OF  
SUPREME COURT OF CALIFORNIA***

**REGARDING:**

***New Vehicle Purchase RFP-SC-91323-MS***

**PROPOSALS DUE:**

***Thursday, 10/12/2023*** NO LATER THAN ***3:00*** P.M. PACIFIC TIME

## 1.0 BACKGROUND INFORMATION

- 1.1 **Background.** The Judicial Council of California (“Judicial Council” or “JBE”), chaired by the Chief Justice of California, 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 of California is the staff agency for the council and assists both the council and its chair in performing their duties.
- 1.2 **Purpose of this RFP.** The Judicial Council is responsible for managing certain administrative functions for the Courts in California’s justice system. On behalf of the Supreme Court of California (“Court”), the Judicial Council seeks bids (“Proposal”) from qualified bidders (“Bidders”) for the purchase of two (2) new vehicles further described within Section 2.0, Description of Goods of this RFP.

## 2.0 DESCRIPTION OF GOODS

The Judicial Council seeks goods and services from a person or entity with expertise in the following:

**Vehicle Purchases:** 2023 Chevy Suburban LT (Quantity 2)

At a minimum, the vehicles being purchased must include the following features:

Automatic Transmission  
Bumper to Bumper Warranty  
Bluetooth technology  
Front and rear floor mats  
AM/FM radio  
Adjustable steering column  
Adjustable front seats  
Cruise control  
Air conditioning  
Spare tire  
Driver and passenger front-impact airbags  
Power mirrors  
Spare Keys (total 4 keys per vehicle)

Under Public Resources Code (PRC) section 25722.7, fleet vehicle purchases by Judicial Branch Entities (“JBE(s)”) must meet minimum fuel economy standards. Under PRC 25722.7(a) and (b), fleet vehicle purchases must meet the fuel economy standard in section 3620.1 of the State Administrative Manual (SAM), which sets forth a minimum miles per gallon standard for the combined annual purchases of vehicles by each JBE. Please refer to PRC 25722.7 and SAM 3620.1 for further information.

The Bidder will register the vehicles for purchase with the Department of Motor Vehicles. The Bidder will install temporary registration documents on each vehicle prior to delivery to the Court. The Bidder will provide EXEMPT license plates and registrations within thirty (30) days of delivery of the vehicles. The Bidder shall cooperate and furnish any and all information or documentation which may be reasonably necessary for compliance with the provisions of this Section or any federal, state or local law, rule, regulation or ordinance.

**Insurance:** The Court shall be responsible for providing vehicle liability protection and collision coverage for claims or lawsuits resulting from the operation of a vehicle. The coverage will be provided through the State Motor Vehicle Self-Insurance Program (VELSIP) and will cover liability arising out of the operation of each vehicle with limits of liability as established by the State of California Office of Risk and Insurance Management (ORIM), and more fully set forth in the State Administrative Manual, section 2420.

The Bidder must provide a listing of all participating locations for vehicle pickup as part of the Bidder’s response to this RFP. The ability of the Bidder to provide pickup at a designated location requested by the Court is preferable. Requested locations are San Francisco, Oakland, or Marin.

### 3.0 TIMELINE FOR THIS RFP

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

| EVENT   | DATE                                 |
|---|--------------------------------------|
| RFP issued  | <i>Wednesday 9/27/2023</i>           |
| Deadline for questions to solicitations@jud.ca.gov  | <i>Wednesday 10/4/2023 COB</i>       |
| Questions and answers posted  | <i>Friday 10/6/2023</i>              |
| Latest date and time proposal may be submitted electronically   | <i>Thursday 10/12/2023 at 3:00pm</i> |
| <b>Public Opening of Cost Proposals</b><br><b>Join on your computer, mobile app or room device</b><br><a href="#">Click here to join the meeting</a><br>Meeting ID: 284 542 034 635<br>Passcode: yfxMpg<br><a href="#">Download Teams</a>   <a href="#">Join on the web</a><br><b>Join with a video conferencing device</b><br><a href="mailto:178332609@teams.bjn.vc">178332609@teams.bjn.vc</a> | <i>Monday 10/16/2023 at 10:00am</i>  |

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| EVENT  | DATE                        |
|--|-----------------------------|
| Video Conference ID: 116 303 150 1<br><a href="#">Alternate VTC instructions</a><br><b>Or call in (audio only)</b><br><a href="#">+1 415-906-0569,,632688032#</a> United States, San Francisco<br>Phone Conference ID: 632 688 032#<br><a href="#">Find a local number</a>   <a href="#">Reset PIN</a> |                             |
| Evaluation of Proposals ( <i>estimate only</i> )   | <i>Monday 10/16/2023</i>    |
| Notice of Intent to Award ( <i>estimate only</i> )   | <i>Wednesday 10/18/2023</i> |
| Issuance of Purchase Order ( <i>estimate only</i> )  | <i>Friday 10/25/2023</i>    |

#### 4.0 RFP ATTACHMENTS

The following attachments are included as part of this RFP:

| ATTACHMENT   | DESCRIPTION  |
|--|--|
| Attachment 1:<br>Administrative Rules<br>Governing RFPs<br>(Non-IT Services)   | These rules govern this solicitation.  |
| Standard Terms and<br>Conditions<br>Attachment 2 and<br>Purchase Orders<br>Terms and<br>Conditions part of<br>Attachment 2 | If selected, the person or entity submitting a proposal must agree to the terms and conditions per attachment <a href="http://www2.courtinfo.ca.gov/termsandconditions8.pdf">http://www2.courtinfo.ca.gov/termsandconditions8.pdf</a> <b>Note: A material exception to the Terms and Conditions will render a proposal non-responsive.</b> |
| Attachment 3:<br>Bidder’s Acceptance<br>of Terms and<br>Conditions   | This form needs to be signed by Bidder and submitted with proposal, The Bidder must indicate acceptance of the Terms and Conditions.   |
| Attachment 4:<br>General<br>Certifications Form  | The Bidder must complete the General Certifications Form and submit the completed form with its proposal.  |
| Attachment 5: Darfur<br>Contracting Act<br>Certification   | The Bidder must complete the Darfur Contracting Act Certification and submit the completed certification with its proposal.  |
| Attachment 6A:<br>Payee Data Record<br>Form STD 204  | This form contains information the Judicial Council requires in order to process payments and must be submitted with the proposal.   |
| Attachment 6B:<br>Payee Data Record<br>STD 205   | 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 the STD 204.                                |
| Attachment 7: Unruh<br>and FEHA<br>Certification   | The Bidder must complete the Unruh Civil Rights Act and California Fair Employment and Housing Act Certification.  |
| Attachment 8:<br>Bidder Declaration  | Complete this form only if Bidder wishes to claim the DVBE incentive associated with this solicitation.  |
| Attachment 9:<br>DVBE Declaration  | Complete this form only if Bidder wishes to claim the DVBE incentive associated with this solicitation.  |

## 5.0 SUBMISSIONS OF PROPOSALS

- 5.1 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.

- 5.2 The Bidder must submit its proposal in two parts, the Non-Cost proposal, and the Cost Proposal.
- a. **Non-Cost Proposal.** The Bidder must submit via e-mail their Non-Cost Proposal as a separate Attachment from the Cost Proposal to the Solicitations mailbox at [solicitations@jud.ca.gov](mailto:solicitations@jud.ca.gov). The Non-Cost Proposal must include all component required in Section 2.0 of the RFP. The Non-Cost Proposal must be signed by an authorized representative of the Bidder. The Bidder must indicate on the Subject line of the submission e-mail the RFP title and number and indicate the RFP number and title on the Proposal attachments.
  - b. **Cost Proposal.** The Bidder must submit via e-mail their Cost Proposal as a separate Attachment from the Non-Cost Proposal to the Solicitations Mailbox at [solicitations@jud.ca.gov](mailto:solicitations@jud.ca.gov). The Cost Proposal must include all components required in Section 6.2 of the RFP. The Cost Proposal must be signed by an authorized representative of the Bidder. The Bidder must indicate on the Subject line of the submission e-mail the RFP title and number and indicate the RFP number and title on the Proposal attachments.
- 5.3 Submission acceptance will be based on the date and time the e-mails are received by the Judicial Council. Both e-mails must be received no later than the due date and time referenced in the Timeline to this RFP or the proposal will not be accepted.
- 5.4 Late proposals will not be accepted.
- 5.5 Only written proposals via e-mail will be accepted. Proposals may not be transmitted by fax.

## 6.0 PROPOSAL CONTENTS

- 6.1 **Non-Cost Information.** The following should be included in the non-cost information. A Proposal lacking any of the following may be deemed non-responsive.
- a. Bidder's name, address, telephone and fax numbers, and federal tax identification number. Note that if Bidder 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 Bidder's designated representative for purposes of this RFP.

- c. Model number(s), specifications, or other description of the goods Bidder proposes to supply to the Judicial Council, including warranty information.
- d. Acceptance of the Terms and Conditions.
  - i. Bidder must indicate acceptance without exception of the Terms and Conditions in the first check box on **Attachment 3**. An “exception” includes any addition, deletion, qualification, limitation, or other change. If no exceptions are noted, then acceptance will be deemed.
  - ii. **Encumbrances:** Each Purchase Order issued in the state of California’s system of record by the Judicial Council and/or Court for goods and/or services is subject to the Terms and Conditions. The Bidder shall be deemed to have agreed to and be bound by such Terms and Conditions by accepting the dispatched Purchase Order, delivering the goods, and/or performing the services.
  - ii. **Note: A material exception to the Terms and Conditions will render a proposal non-responsive.**
- f. Certifications, Attachments, and other requirements.
  - i. Bidder must include the following certification in its Proposal:

Bidder has no interest that would constitute a conflict of interest under California Public Contract Code sections 10365.5, 10410 or 10411; Government Code sections 1090 et seq. or 87100 et seq.; or rule 10.103 or rule 10.104 of the California Rules of Court, which restrict employees and former employees from contracting with judicial branch entities.
  - ii. If the Bidder has never been issued a purchase order by or has had a contract with the Judicial Council, then the Bidder must include in its Proposal a completed and signed Payee Data Record Form, or provide a copy of a form previously submitted to the Judicial Council.
  - iii. If Bidder is a corporation, proof that Bidder is in good standing and qualified to conduct business in California.
  - iv. In its proposal, Bidder must certify that it and all of its affiliates that make sales for delivery into California are holders of either (i) a California seller's permit issued under Revenue and Taxation Code section 6066 and following; or (ii) a certificate of registration issued under Revenue and Taxation Code section 6226.

6.2 **Cost Proposal.** The following must be included in the Cost Proposal.

- a. The Bidder must include the proposed fee for the vehicles specified in RFP Section 2.0 (Description of Goods). The Bidder must also have completed cost items set forth in a Vehicle Purchase Order.
- b. The Vehicle Purchase Order is intended to contain all applicable charges and costs. The Bidder must indicate all applicable charges and costs in its Cost Proposal with this RFP. At a minimum, charges and costs for the purchase of the vehicles shall include, but not limited to, the following:

Price of Vehicle  
Model / Color / Type / Year / Mileage  
VIN Number of Vehicle  
Dealer Documentary Fee  
License Fee  
Transfer Fee, if applicable  
Title Fee  
Registration Fee  
Sales Taxes  
Total Cash Sale Price

**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.

**7.0 OFFER PERIOD**

A Bidder's Proposal is an irrevocable offer for sixty (60) days following the bid due date. In the event a final contract has not been awarded within this sixty (60) day period, the Judicial Council reserves the right to negotiate extensions to this period.

**8.0 EVALUATION OF PROPOSALS**

The Cost Proposal will be publicly opened at *the time and place noted in Section 3.0, Timeline for this RFP.*

The Judicial Council will evaluate the Proposals as described in the Administrative Rules. Award, if made, will be to the lowest responsible bidder meeting specifications.

**9.0 CONFIDENTIAL OR PROPRIETARY INFORMATION**

One copy of each proposal will be retained by the Judicial Council for official files and will become a public record. California judicial branch entities are subject to rule 10.500 of the California Rule of Court (see <https://www.courts.ca.gov/rules.htm> ), which governs public access to judicial administrative records.



If information submitted in a proposal contains material noted or marked as confidential and/or proprietary that, in the Judicial Council's sole opinion, meets the disclosure exemption requirements of Rule 10.500, then that information will not be disclosed upon a request for access to such records. If the Judicial Council finds or reasonably believes that the material so marked is **not** exempt from disclosure, the Judicial Council will disclose the information regardless of the marking or notation seeking confidential treatment.

## **10.0 DISABLED VETERAN BUSINESS ENTERPRISE PARTICIPATION GOALS**

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 the Judicial Council's DVBE Rules and Procedures. The Bidder will receive a DVBE incentive if, in the Judicial Council's sole determination, The Bidder has met all applicable requirements. If the Bidder receives the DVBE incentive, the total price on the Cost Proposal will be adjusted by 3% using "lowest responsible bidder" methodology in scoring.

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, the Bidder may have an approved Business Utilization Plan ("BUP") on file with the California Department of General Services ("DGS").

If Bidder wishes to seek the DVBE incentive:

1. The Bidder must complete and submit with its proposal the Bidder Declaration (Attachment 8). The Bidder must submit with the Bidder Declaration all materials required in the Bidder Declaration.
2. The Bidder must submit with its Proposal a DVBE Declaration (Attachment 9) completed and signed by each DVBE that will provide goods and/or services in connection with the contract. If the Bidder is itself a DVBE, it must complete and sign the DVBE Declaration. If Bidder will use DVBE subcontractors, each DVBE subcontractor must complete and sign a DVBE Declaration. **NOTE:** The DVBE Declaration is not required if Bidder 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 Bidder not receiving the DVBE incentive. In addition, the Judicial Council may request additional written clarifying information. Failure to provide this information as requested will result in the Bidder 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 Judicial Council's Small Business Preference Procedures for the Procurement of Information Technology Goods and Services.

If the Bidder receives the DVBE incentive: (i) the Bidder will be required to complete a post-contract DVBE certification if DVBE subcontractors are used; (ii) the Bidder must use any DVBE subcontractor(s) identified in its proposal unless the Judicial 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 Bidder must complete and return to the Judicial 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 the Bidder's final invoice to the Judicial Council. If the Bidder fails to do so, the Judicial Council will withhold \$10,000 from the final payment, or withhold the full payment if it is less than \$10,000, until the Bidder submits a complete and accurate post-contract certification form.

When a Bidder fails to comply with the post-contract certification requirement in this section and a payment withhold is applied to a contract, the Judicial Council shall allow the Bidder 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 Bidder refuses to comply with the certification requirements, the Judicial 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.**

## **11.0 PROTESTS**

Any protests will be handled in accordance with Chapter 7 of the Judicial Branch Contract Manual (see [www.courts.ca.gov/documents/jbcl-manual.pdf](http://www.courts.ca.gov/documents/jbcl-manual.pdf)). Failure of a Bidder 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 Judicial Council to receive a solicitation specifications protest is within **24 hours after the proposal due date and time**. In order to be considered a valid protest, all such protests must be submitted by email to the email address established for the submission of questions in this RFP.