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| RC2 | REQUEST FOR PROPOSALS |
| ***JUDICIAL COUNCIL OF CALIFORNIA***  **Regarding:** Proposals to enter into a Master Agreement to provide temporary staffing services to the Judicial Council of California and Judicial Branch Entities.  **Project Title:** Master Agreements for Temporary Staffing Services  **RFP Number:** HR-2019-03-LB  **Questions Due:** 1:00 p.m. Pacific Time, April 2, 2019  **Proposal Due:** 1:00 p.m. Pacific Time, April 22, 2019  **Deliver Proposals To:**  Judicial Council of California  Attn: Lenore Fraga-Roberts, RFP # HR-2019-03-LB  455 Golden Gate Avenue, 6th floor  San Francisco, CA 94102 |

1. **GENERAL INFORMATION**
   1. The Judicial Council of California , 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 is the staff agency for the Council and assists both the Council and its chair in performing their duties.

1.2 The Human Resources office of the Judicial Council provides a full range of human resources services to the California Judicial officers and to employees of the appellate courts, the Judicial Council, the Habeas Corpus Resource Center (HCRC), and the Commission on Judicial Performance (CJP). Human Resources is responsible for tracking and reporting temporary staffing needs throughout the Judicial Council.

1. **PURPOSE OF THIS RFP**

2.1 The Judicial Council seeks to identify and retain multiple qualified temporary staffing suppliers under an undetermined number of master agreements to supply the Judicial Council, and any participating Judicial Branch Entities (JBE’s), each a “Participant,” with high-quality, cost-effective, professional and administrative temporary staff. The master agreement holders will serve as the qualified bid list for Participant’s professional administrative staff requirements for the duration of the master agreement contract term. This RFP is the means for prospective temporary staffing suppliers to submit their qualifications and proposal response to the Judicial Council and request selection as a result of this RFP.

2.2 The Judicial Council anticipates awarding master agreements for an initial one-year term, with two additional consecutive one-year option terms for a potential maximum total of three years. The initial term of each master agreement is anticipated to cover the period of **June 24, 2019** through **June 23, 2020**. Each of the two options terms may be exercised at the Judicial Council’s sole discretion. Cost/fee proposals are solicited covering pricing for all three potential term years.

2.3 Over the last three years, the Judicial Council has averaged expending $522,599 per year for temporary staffing services. However, the Judicial Council does not guarantee that master agreement awardees will receive a specific volume of work, a specific total contract amount, or a specific order value under any master agreement executed pursuant to this RFP. Additionally, there will be no limit on the number of Temporary Agency Staff Work Orders & Exemption (“Work Order(s)”) the Participant’s may issue under a master agreement, nor will there be any specific limitations on the quantity, minimum and/or maximum value of the individual Work Orders.

2.4 This RFP will cover temporary staffing service needs for the Judicial Council headquartered in San Francisco, and its regional office located in Sacramento, California. Additionally, there may be occasional needs that arise in various cities throughout California. Participating JBE’s include the California Supreme Court, the California Courts of Appeal, the Habeas Corpus Resource Center (HCRC), and the Commission on Judicial Performance (CJP). A JBE may opt to participate in the Judicial Council’s temporary staffing services master agreement as their temporary staffing needs arise. The Court of Appeals are located in San Francisco, San Jose, Sacramento, Fresno, Los Angeles, Ventura, Riverside, Santa Ana, and San Diego. The California Supreme Court, HCRC, and CJP are located in San Francisco, California.

1. **SCOPE OF SERVICES**
   1. The qualified temporary staffing bidders selected as a result of this RFP will be awarded master agreements that will serve as the complete list of suppliers for the JBE’s to obtain professional temporary staffing services for the duration of the master agreement term and any awarded option terms.
   2. Pursuant to the Work Order Process and Administration, set forth in **Attachment 2,** of this RFP, the Participant, will solicit master agreement holders to fill individual professional temporary staff requirements by issuing a Work Order form to any number of the master agreement holders.
   3. Master Agreement holders will staff temporary work orders, on request and within the requested time frame, with individuals who possess the required minimum qualifications required by the classification specification and the desirable qualifications requested in order to perform the assignment to the fullest capacity.
   4. Proactively source, recruit and maintain network of quality candidates for Judicial Council and participating JBE consideration.
   5. Provide regular daily follow-up with Project Manager on temporary positions that have not been filled, or require replacement temporary staff.
   6. The Participant will interview candidates provided by solicited agreement holders and select the candidate/proposal that best meets their requirements, and award a Work Order to that master agreement holder.
   7. Master Agreement holders may use the services of pre-approved Subcontractors in order to fulfill temporary staffing positions on a timely basis.
   8. Provide and conduct background checks and thorough employment references (using Judicial Council template provided) for selected candidates within a reasonable time frame prior to start date of assignment. All suppliers shall adhere to federal, state and privacy protection laws when conducting background checks and provide the required waivers, authorizations, notices, disclosures and releases. If the supplier uses an outside company to conduct background checks, the supplier shall only use registered, licensed investigators.
2. **EXISTING WORK ORDERS**

Any and all existing Work Orders will expire at the end of the current contract which is June 23, 2019. Below is a list, as of March 6, 2019, of the existing temporary personnel as well as new work orders that will need to be transitioned to a supplier or suppliers under the new Master Services Agreement effective June 24, 2019 in order to continue with their assignment.

Bidder should provide Conversion Salary Rates in Attachment 11 for any classifications from the below list that your company is able to accept work orders from Judicial Council or participating JBE’s. NOTE: a number after the Classification indicates the number of positions that will need to be transitioned under the new Master Services Agreement.

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| **Position Information/ Classification** |
| Administrative Assistant II (6) |
| Accounting Clerk III (2) |
| Data Entry Technician (2) |
| Accounting Clerk II (2) |
| Analyst I |
| Analyst II (2) |
| Administrative Assistant IV (2) |
| Administrative Assistant I |
| Office Clerk II |
| Help Desk Assistant |

1. **Procurement Schedule**
   1. The following key events and key dates shall apply to this RFP:

| **No.** | **Key Event** | **Key Date** |
| --- | --- | --- |
| 1 | RFP issued | March 22, 2019 |
| 2 | Deadline for Proposers to Submit Questions, Requests for Clarifications or Modifications. (submit to Solicitations Mailbox at: Solicitations@jud.ca.gov | April 2, 2019  No later than 1:00 PM, Pacific Time. |
| 3 | Questions and answers posted on the Court Website (estimate only) | April 8, 2019 |
| 4 | Proposal Due Date and Time | April 22, 2019  No later than 1:00 PM, Pacific Time. |
| 5 | Evaluation of proposals (estimate only) | April 22-26, 2019 |
| 6 | Anticipated interview dates, if needed (estimate only) | Week of April 29, 2019 |
| 7 | Post Notice of Intent to Award at [www.courts.ca.gov/rfps.htm](http://www.courts.ca.gov/rfps.htm) (estimate only) | May 10, 2019 |
| 8 | Complete Negotiations and Execution of Master Agreements (estimate only) | May 13-17, 2019 |
| 9 | Contract start date (estimate only) | June 24, 2019 |
| 10 | Contract end date (estimate only) | June 23, 2020 |

* 1. All key events and dates are subject to change at the JCC’s sole discretion.

5.3 Changes to dates listed for key event numbers 2 and 4 (Deadline for Proposers to Submit Questions, Requests for Clarifications or Modifications, or Proposal Due Date and Time) set forth above, and on the coversheet of this RFP will only be made by posting an addendum on the Court Website.

5.4 The dates listed for key events number 3, and numbers 5-10, above, are estimated dates only and may be changed at the Judicial Council’s sole discretion. Prior to the Proposal Due Date and Time, the Judicial Council will communicate any such change by posting a notice to the Court Website.

5.5 The Judicial Council 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. If conducted in person, interviews will likely be held at the Judicial Council’s offices. The Judicial Council will not reimburse Proposers for any costs incurred in traveling to or from the interview location. The Judicial Council will directly notify eligible Proposers regarding interview arrangements.

* + 1. Upon selection of the preferred supplier(s) to which the Judicial Council intends to award master agreements, the Judicial Council will notify all proposers in writing of their selection/non-selection for award of the services set forth in the RFP. The Judicial Council will subsequently post a public “Notice of Intent to Award” announcement on the Court Website, which will identify all selected suppliers.

5.6 It shall be the sole responsibility of prospective proposers to monitor the Court Website to ascertain whether the Judicial Council has issued an addendum changing any element of the RFP, including key events or their key dates.

**6.0** **RFP Attachments**

The following Attachments are included as part of this RFP.

| **ATTACHMENT** | **DESCRIPTION** |
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| **Attachment 1**: Administrative Rules Governing RFPs (Non-IT Services): | These rules govern this solicitation. |
| **Attachment 2**: JBE Standard Terms and Conditions | If selected, the person or entity submitting a proposal (the “Proposer”) must sign a JBE Standard Form agreement containing these terms and conditions (the “Terms and Conditions”). |
| **Attachment 3**: General Certifications Form | The Proposer must complete the General Certifications Form and submit the completed form with its proposal. |
| **Attachment 4**: Darfur Contracting Act Certification | The Proposer must complete the Darfur Contracting Act Certification and submit the completed certification with its proposal. |
| **Attachment 5**: Payee Data Record Form | This form contains information the Judicial Council requires in order to process payments and must be submitted with the proposal. |
| **Attachment 6**: Iran Contracting Act Certification | The Proposer must complete the Iran Contracting Act Certification and submit the completed certification with its proposal. |
| **Attachment 7**: Unruh and FEHA Certification | The Proposer must complete the Unruh Civil Rights Act and California Fair Employment and Housing Act Certification. |
| **Attachment 8**: DVBE Declaration | Complete this form only if the Proposer wishes to claim the DVBE incentive associated with this solicitation. |
| **Attachment 9**: Bidders Declaration | Complete this form only if the Proposer wishes to claim the DVBE incentive associated with this solicitation. |
| **Attachment 10**: Evaluation Criteria & Proposal Submission Form | The Proposer must use the Evaluation Criteria & Proposal Submission Form in submitting their proposal. |
| **Attachment 11:**  Pricing | The Proposer must use the Pricing Form in submitting their proposal. |

1. **PAYMENT INFORAMTION**

Payment information is defined in **Attachment 2, Master Agreement, Exhibit B, Payment Provisions.**

1. **EVALUATION OF PROPOSALS**

8.1 The Judicial Council will conduct a comprehensive, fair, and impartial evaluation of proposals received in response to this RFP. All proposals received from bidders will be reviewed and evaluated by a committee of qualified personnel (“Evaluation Committee”). The name, units, or experience of any individual members of the Evaluation Committee will not be made available to any supplier.

8.2 Evaluation Criteria. A combined total of 100 maximum points has been assigned to the criteria set forth in Attachment 10 Evaluation Criteria & Proposal Submission Forms, and Attachment 11, Pricing Submission Forms, of the RFP. The maximum number of points are listed below in order as they appear in the Attachments. The points indicate relative weight or importance given to each criterion. The Evaluation Committee will score each proposal, based upon the proposed information for each specified criterion and total maximum number of points for that criterion. The evaluation criteria, including the maximum points for each criterion, and the required information to be submitted for this solicitation is set forth in each Attachment. The Judicial Council reserves the right to reject any bidder’s submission due to non-responsiveness to the selection criteria or that fails to demonstrate the bidder has direct expertise in providing the services of a similar nature, scope, size, complexity, or cost, that the Judicial Council seeks in this solicitation. The Judicial Council also reserves the right to accept or reject any or all of the items in the proposal, to award the contract in whole or in part and/or negotiate any or all items with bidders if it is deemed in the Judicial Council’s best interest. Moreover, the Judicial Council reserves the right to make no selection, or reject a bidder, if proposals are deemed to be outside the fiscal constraint or against the best interests of the State of California, or the Judicial Council.

| **CRITERION** | **maximum number of points** |
| --- | --- |
| DVBE (Attachment 8) | 3 |
| Methodologies (Attachment 10-A) | 15 |
| Staffing Industries & Classification Titles (Attachment 10-B) | 20 |
| Key Staff (Attachment 10-C) | 10 |
| Proposers Acceptance of Master Agreement Terms and Conditions (Attachment 10-D) | 15 |
| Viability of Firm (Attachment 10-E) | 7 |
| Pricing (Attachment 11) | 30 |
| Maximum Number of Points | **100** |

**9.0 SPECIFICS OF A RESPONSIVE PROPOSAL**

9.1 A Proposer’s proposal shall contain the information specified under each evaluation criterion in **Attachment 10, Evaluation Criteria & Proposal Submission Forms, and Attachment 11, Pricing Submission Forms**.

9.2 Responsive proposals should provide straightforward, concise information that satisfies the requirements noted under each evaluation criteria set forth in **Attachment 10 and Attachment 11.** Expensive bindings, color displays, and the like are neither necessary nor desired. Emphasis should be placed on conformity to the state’s instructions, requirements of this RFP, and completeness and clarity of content.

9.3 A Proposer’s pricing proposal, shall be based strictly on the RFP as posted, including **Attachment 2, Master Agreement Terms and Conditions**, and NOT on any exceptions that the supplier may propose to the Master Agreement Terms and Conditions or any other portion of the RFP.

9.4 Should a proposer make their submission under the Pricing evaluation criteria conditional on the Judicial Council accepting proposer’s proposed changes to the **Master Agreement Terms and Conditions** or any other portion of the RFP, the Judicial Council may deem such conditions to be non-responsive to the requirements of the RFP, and may result in the proposer’s proposal being disqualified from further evaluation.

* 1. Certifications, Attachments, and other requirements.

9.5.1 The Proposer must complete Attachments 3-7 and submit the completed forms with its proposal. (See RFP Attachments, Section 6.0 of the RFP)

* + 1. If Proposer is a California corporation, limited liability company (“LLC”), limited partnership (“LP”), or limited liability partnership (“LLP”), proof that Proposer is in good standing in California.

If Proposer is a foreign corporation, LLC, LP, or LLP, and Proposer conducts or will conduct (if awarded the contract) intrastate business in California, proof that Proposer is qualified to do business and in good standing in California.

If Proposer is a foreign corporation, LLC, LP, or LLP, and Proposer does not (and will not if awarded the contract) conduct intrastate business in California, proof that Proposer is in good standing in its home jurisdiction.

1. **SUBMISSION OF PROPOSALS**

10.1 Proposals should provide straightforward, concise information that satisfies the requirements of *Section 9.0, Specifics of a Responsive Proposal*. Expensive bindings, color displays, and the like are not necessary or desired. Emphasis should be placed on conformity to the RFP’s instructions and requirements, and completeness and clarity of content.

10.2 The Proposer must submit its proposal in two parts, the technical proposal and the cost proposal.

* + 1. **Technical Proposal**. The Proposer must submit **one (1) original and three (3) hard copies** of the technical proposal, **Attachment 10**. An electronic Microsoft Word copy of the technical proposal should be included on a flash drive. The original proposal must include a cover letter signed by an authorized representative of the Proposer. The Proposer must **i**) seal and write the RFP title and RFP number on the outside of the sealed envelope; and **ii**) identify the sealed envelope as “**Technical Proposal**”.
    2. **Cost Proposal.** The Proposer must submit **one (1) original and three (3) hard copies** of the cost proposal**, Attachment 11.** An electronic Microsoft Word and/or Excel copy of the cost proposal should be included on a flash drive. The original proposal must include a cover letter signed by an authorized representative of the Proposer. The Proposer must **i**) seal and write the RFP title and RFP number on the outside of the sealed envelope; and **ii**) identify the sealed envelope as “**Cost Proposal**”.
    3. The sealed envelopes containing the Technical and Cost proposals (including copies thereof) must then be submitted to the Judicial Council in a single sealed envelope that is clearly marked.
    4. Proposals must be delivered by the date and time listed on the coversheet of this RFP to:

Judicial Council of California

Branch Accounting and Procurement

**Attn: Lenore Fraga-Roberts**

**RFP# HR-2019-03-LB**

455 Golden Gate Avenue, 6th Floor

San Francisco, CA 94102-3688

* 1. Late proposals will not be accepted.
  2. Only written proposals will be accepted. Submitting proposals by facsimile or email transmission is not acceptable, and any proposal so transmitted will be rejected as non-responsive.
  3. All proposals must be delivered via U.S. Mail, common carrier, overnight delivery service (with proof of delivery), or hand delivery. A receipt should be requested for hand delivered material. Proposals received prior to the Proposal Due Date & Time that are marked properly will be securely kept, unopened until the Proposal Due Date & Time. Proposals received after the Proposal Due Date & Time will be deemed non-responsive and will not be considered. The JCC shall not be responsible for any delays in mail or by common carriers or by delivery errors or delays or missed delivery.
  4. The proposer must prepare a cover letter on the prime proposer’s business letterhead to accompany the proposal. The purpose of this letter is to transmit the proposal; therefore, it should be brief. The letter must be signed by an individual who is authorized to bind his or her firm to all statements contained in the proposal. The cover letter must state who the proposed prime supplier is (legal business name), name the proposed subcontractors, if any, and provide the name, title, physical address, email address, and telephone number of one individual who is the proposer’s designated representative and single point of contact.
  5. The proposer’s technical proposal and cost proposal must be submitted using Attachment 10, Evaluation Criteria & Proposal Submission Form and Attachment 11, Pricing Submission Form.
  6. The proposer’s submitted proposal shall constitute an irrevocable offer for **120 days** following the Proposal Due Date & Time as set forth on the coversheet to this RFP.
  7. The proposer is solely responsible for ensuring that the full and complete proposal is received by the Judicial Council in accordance with the solicitation requirements prior to the Proposal Due Date & Time and at the place specified.
  8. Any proposal containing information that proposer considers confidential and/or proprietary must comply with the requirements set forth in Attachment 1, Administrative Rules Governing Requests for Proposals.

1. **DISABLED VETERAN BUSINESS ENTERPRISE INCENTIVE**

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

11.2 Eligibility for and application of the DVBE incentive is governed by the Judicial Council’s DVBE Rules and Procedures. Proposer will receive a DVBE incentive if, in the Judicial Council’s sole determination, Proposer has met all applicable requirements. If Proposer receives the DVBE incentive, a number of points will be added to the score assigned to Proposer’s proposal. The number of points that will be added is specified in Section 8 above.

11.3 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 on non-IT goods and IT good and services, Proposer may have an approved Business Utilization Plan (“BUP”) on file with the California Department of General Services (“DGS”).

11.4 If Proposer wishes to seek the DVBE incentive:

11.4.1 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 Proposer is itself a DVBE, it must complete and sign the DVBE Declaration. If Proposer will use 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.

11.4.2 Proposer must complete and submit with its proposal the Bidder Declaration (**Attachment 9**). Proposer must submit with the Bidder declaration all materials required in the Bidder Declaration.

11.5 Failure to complete and submit these forms as required will result in Proposer 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 Proposer not receiving the DVBE incentive.

11.6 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 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.

**FRAUDULENT MISREPREPRETATION 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.**

1. **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 Proposer to comply with the protest procedures set forth in that chapter will render a protest inadequate and nonresponsive, and will result in rejection of the protest. The deadline for the Judicial Council to receive a solicitation specifications protest is listed in the RFP timeline in this document. Protests should be sent to:

Judicial Council of California

Branch Accounting and Procurement

**Attn: Protest Hearing Officer**

**RFP# HR-2019-03-LB**

455 Golden Gate Avenue, 6th Floor

San Francisco, CA  94102-3688

*End of RFP*