

REQUEST FOR PROPOSALS

JUDICIAL COUNCIL OF CALIFORNIA

REGARDING:

*Non-sworn, unarmed, uniformed Security Guard Services
RFP No.: RFP-Appellate-122118-WV*

PROPOSALS DUE:

**MARCH 1, 2019
NO LATER THAN 3 P.M. PACIFIC TIME**

1.0 BACKGROUND INFORMATION

- 1.1. Judicial Council of California (JCC) The Judicial Council, chaired by the Chief Justice, is the rule-making arm of the California court system. It was created by an amendment to article VI of the California Constitution in 1926. In accordance with the California Constitution and under the leadership of the Chief Justice of the Supreme Court of California, the Judicial Council directs improvements to the administration of justice by surveying judicial business, recommending improvements to the courts, and making recommendations annually to the Governor and the Legislature. The Judicial Council also adopts rules for court administration, practice, and procedure, and performs other functions prescribed by law. The Branch Accounting and Procurement office is the staff entity for the Judicial Council and assists both the Judicial Council and the Chief Justice in performing their duties.
- 1.2. Objective. The Judicial Council is charged with managing certain administrative functions for the appellate court in California's justice system. Among these is arranging for building security and security of the appellate courts' courtrooms and chambers. The Contractor's personnel will work closely with the Clerk's Office and other court personnel in each designated court location. The services contemplated in this Request for Proposal (RFP) are intended to complement and coordinate with security services already provided by the California Highway Patrol (CHP).
- 1.3. Website. For additional information about this solicitation, including electronic copies of the solicitation documents, see the California Courts Website located at www.courts.ca.gov/rfps.htm ("Courts Website").

2.0 DESCRIPTION OF SERVICES AND DELIVERABLES

- 2.1. The JCC (also referenced herein as the "State" or "JBE") seeks the services of one qualified contractor (the "Contractor") to perform non-sworn, unarmed, uniformed security guard services for the offices of the JCC, the California Supreme Court, and the California Courts of Appeal, at a total of nine (9) sites across the State, as more specifically set forth and described in **Attachment 2**, Exhibit D, Work to Be Performed and **Attachment 2**, Exhibit E, **Attachment 1**, Site Staffing Configurations (the "Sites"). The Contractor is directly responsible for supervising and instructing its own staff. The Contractor may also recommend either on-site or roving supervisory staff of its own at the Sites without further cost.
- 2.2. The JCC and the California Appellate Courts are exempt from the personal services contracting requirements in Government Code Sections 19130-19134. Timesheets noting each day worked will be required from each guard at each location and be submitted with the Contractor's invoice. Coverage for an absent guard must be at the originally posted guard's billing rate. The JCC will not be charged for overtime if the Contractor's relief guard is late for any reason and the current guard's shift is extended past eight (8) hours or a 40-hour week. The Contractor shall absorb such overtime

costs. Hourly billing rates will be flat rates which include all wages, benefits, allowances, differentials, and are billable for time worked.

2.3. Specifications

Specifications are set forth in detail in **Attachment 2**, Exhibit D, Work To Be Performed, and include:

1. Overview
2. Tasks To Be Performed
3. Guard Requirements
 - A. Application Approval
 - B. Supervision
 - C. Experience
 - D. Current Permanent Registration Card
 - E. Physical Qualifications
 - F. Mental Qualifications
 - G. Literacy
 - H. Training
 - I. Post Instructions
 - J. Uniform
 - K. Required and Prohibited Activities
 - L. Cooperation
4. Performance
5. Background Checks
6. License and Permits
7. Holidays

The above list is not an all-inclusive list of work to be performed. Proposers are to thoroughly review **Attachment 2**, JCC Standard Terms and Conditions, including, but not limited to, Exhibit D, Work To Be Performed, in its entirety, prior to submitting a proposal.

- 2.4. Incumbent Personnel: Successful bidders are strongly encouraged to work with any of the individual appellate courts on incumbent personnel transfer if a court indicates an incumbent meets or exceeds their requirements. Proposers will detail their proposed plans to include this process in their hiring.
- 2.5. Site Coverage: Brief description of site coverage is set forth in **Attachment 2**, Exhibit E, Attachment 1, Site Staffing Configurations. Detailed information regarding site coverage will be provided after the State receives a signed Non-Disclosure Agreement. Unless expressly required, no work will be performed on the 13 State holidays and all overtime must be approved in writing in advance by the on-site Court of Appeal contact at each location designated in the contract unless it is part of the pre-determined work schedule agreed upon.

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	December 21, 2018
In order to attend the Pre-Proposal Conference, Non-Disclosure Agreements must be signed and submitted to solicitations@jud.ca.gov :	Received by 3pm Pacific Time January 4, 2018
Mandatory Pre-Proposal Conference <i>(estimate only)</i>	January 11, 2019 <i>Logistics will be provided upon receipt of a signed Attachment 8, Non-Disclosure Agreement.</i>
Deadline for questions to solicitations@jud.ca.gov	Received by 3pm Pacific Time January 18, 2019
Questions and answers provided to those who attended the mandatory Pre-Proposal conference <i>(estimate only)</i>	February 8, 2019
Proposal Due Date - Latest date and time proposals may be submitted	Received by 3pm Pacific Time March 1, 2019
Anticipated interview dates and evaluation of proposals <i>(estimate only)</i>	March 2 – April 11, 2019
Notice of Intent to Award <i>(estimate only)</i>	April 12, 2019
Contract start date <i>(estimate only)</i>	June 1, 2019
Contract end date (excludes renewal option terms) <i>(estimate only)</i>	May 31, 2022

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, including, but not limited to, Exhibit D, Work To Be Performed	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: 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. Note: A material exception to a Minimum Term will render a proposal non-responsive.
Attachment 4: Payee Data Record Form	This form contains information the JCC requires in order to process payments and must be submitted with a proposal.
Attachment 5: Cost/Fee Proposal Form	Proposer must use only this form to propose its pricing necessary to perform the work set forth in Attachment 2, JCC Standard Terms and Conditions.
Attachment 6: Darfur Contracting Act Certification	The Proposer must complete the Darfur Contracting Act Certification and submit the completed certification with its proposal.
Attachment 7: Iran Contracting Act Certification	The Proposer must complete the Iran Contracting Act Certification and submit the completed certification with its proposal.
Attachment 8, Non-Disclosure Agreement (NDA)	Persons wishing to attend the mandatory Pre-Proposal Conference must submit a completed NDA by the date set forth in Section 3, Timeline For This RFP. In addition, proposals must include signed NDA’s by all persons who received JCC confidential information and worked on the proposal for the proposer.
Attachment 9: Unruh and FEHA Certification	The Proposer must complete the Unruh Civil Rights Act and California Fair Employment and Housing Act Certification.
Attachment 10: References Form	Proposers must use this form to provide their references.

Attachment 11: Bidder Declaration	This form needs to be signed by the Proposer and submitted with the bid if vendor is participating in the Disabled Veteran Business Enterprise (DVBE) incentive.
Attachment 12: DVBE Declaration	This form needs to be signed by Proposer and submitted with bid if vendor is participating in the DVBE incentive.

5.0 MANDATORY PRE-PROPOSAL CONFERENCE AND NON-DISCLOSURE AGREEMENT

- 5.1. A Mandatory Pre-Proposal Conference will be conducted at the JCC office in San Francisco, CA. At the Mandatory Pre-Proposal Conference an oral question and answer session regarding this RFP will take place. Proposer’s representatives that will attend in person or participate via conference call or receive any confidential information related to this RFP must first submit a completed **Attachment 8**, Non-Disclosure Agreement (“NDA”).
- 5.2. Additional logistics for the Mandatory Pre-Proposal Conference will be provided to each person that submits a completed Non-Disclosure Agreement by the date and time set forth in Section 3, Timeline For This RFP. Completed and signed NDAs must be scanned and sent via e-mail to Solicitations@jud.ca.gov. The JCC will acknowledge receipt of the NDAs and provide additional required and logistical information regarding the Mandatory Pre-Proposal Conference to each Proposer submitting an NDA. No contractor shall, under any circumstance, contact any court personnel or existing guard staff until the issuance of an intent to award letter.
- 5.3. Attendance at the Pre-Proposal Conference is **MANDATORY** for all Proposers. Each Proposer must be certain to check in at the Mandatory Pre-Proposal Conference, as the attendance list will be used to ascertain compliance with this requirement. The JCC may reject a proposal from any Proposer who did not attend the Mandatory Pre-Proposal Conference.

6.0 SUBMISSIONS OF PROPOSALS

- 6.1 Proposals should provide straightforward, concise information that satisfies the requirements of the “Proposal Contents” section below. 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.
- 6.2 The Proposer must submit its proposal in two parts, the technical proposal and the cost proposal.
 - a. The Proposer must submit **one (1) original and two (2) copies** of the technical proposal. The original must be signed by an authorized representative of the Proposer. The original technical proposal (and the copies thereof) must be submitted to the JBE in a single sealed

envelope, separate from the cost proposal. The Proposer must write the RFP title and number on the outside of the sealed envelope.

- b. The Proposer must submit **one (1) original and two (2) copies** of the cost proposal. The original must be signed by an authorized representative of the Proposer. The original cost proposal (and the copies thereof) must be submitted to the JBE in a single sealed envelope, separate from the technical proposal. The Proposer must write the RFP title and number on the outside of the sealed envelope.
- c. The Proposer must submit an electronic version of the entire proposal on USB memory stick/flash drive. The files must be in PDF, Word, or Excel formats.

6.3 Proposals must be delivered by the date and time listed on the coversheet of this RFP to:

Judicial Council of California
Attn: Sherri Jones, NO. RFP-APPELLATE-122118-WV
455 Golden Gate Avenue
San Francisco, CA 94102

6.4 Late proposals will not be accepted.

6.5 Only written proposals will be accepted. Proposals must be sent by registered or certified mail, courier service (e.g. FedEx), or delivered by hand. Proposals may not be transmitted by fax or email.

7.0 PROPOSAL CONTENTS

7.1 Technical Proposal. The following information must be included in the technical proposal. A proposal lacking any of the following information may be deemed non-responsive. Proposers must agree to provide a state-wide contact for all security related issues and concerns for all appellate court locations under contract that will not be separately billable under this contract. The Proposer's named state-wide contact will work out any issues with local proposer management so the JCC only has one Contractor contact with one designated representative for all services and the entire appellate court system. Proposers must agree to provide a state-wide contact for all billing related issues and concerns with the JCC for all locations under contract that will not be separately billable under this contract.

- a. The Proposer's name, address, telephone and fax numbers, and federal tax identification number, **and a detailed description of existing offices and infrastructure in California**. 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. For each key staff member: a resume describing the individual's background and experience, as well as the individual's ability and experience in conducting the proposed activities.
- d. REFERENCES: 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.
- e. Proposed method to complete the work.
 - i. Proposer experience in providing unsworn, unarmed, uniformed security service in an office, professional environment.
 - ii. Proposer's methodology for hiring personnel, training and operating at the sites specified in Attachment 2, Exhibit E, Attachment 1. Proposers will also detail their proposed plans for incumbent personnel transfer in their hiring process.
 - iii. Proposer's system of supervision, offices and Human Resource support for their staff.
 - iv. Methods to ensure all posts are staffed within one hour of a post vacancy for any reason.
 - v. Type and fit of uniforms for both male and female employees, including company policy on uniform cleaning and appearance.
 - vi. Proposers will describe their policies on First Aid, CPR, and AED training, frequency of training supplied to assigned personnel, pre-post non-billed training, post assignment training, and certifications that assigned personnel will receive and be required to maintain.
- 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.

iii. **Note: A material exception to a Minimum Term will render a proposal non-responsive.**

g. Certifications, Attachments, and other requirements.

i. The Proposer must complete the Darfur Contracting Act Certification (Attachment 5) and submit the completed certification with its proposal.

ii. If Contractor 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.

iii. Copies of the Proposer’s (and any subcontractors’) current business licenses, professional certifications, or other credentials.

iv. Proof of financial solvency or stability (e.g., balance sheets and income statements).

v. The Proposer must complete the Iran Contracting Act Certification (Attachment 7) and submit the completed certification with its proposal.

vi. The Proposer must complete the Unruh Civil Rights Act and California Fair Employment and Housing Act Certification (Attachment 9) and submit the completed certification with its bid.

7.2 Cost Proposal. Proposers must complete Attachment 5, Cost/Fee Proposal Form and include it in their proposal. This attachment will contain the proposer’s hourly rates for on-site supervisors and guard personnel. The only costs that the JCC will evaluate are hourly personnel rates, which shall include any and all clerical support, Materials, fees, overhead, profits, and other costs and/or expenses incidental to the performance of the specified requirements under this Agreement.

8.0 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.

9.0 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. An award, if made, will be to the highest-scored proposal.

If a contract will be awarded, the JBE will post an intent to award notice at <http://www.courts.ca.gov/rfps.htm>.

CRITERION	REFERENCES TO APPLICABLE RFP SECTIONS AND SUBMITTALS	MAXIMUM NUMBER OF POINTS
Experience in similar professional environments	7.0 et seq.	15
Existing offices and infrastructure in California	7.0 et seq.	15
Cost	Attachment 5 , Cost/Fee Proposal Form	30
Pre-post training plans and post assignment training plans and other policies	7.0 et seq.	10
Uniforms, uniform maintenance, internal uniform and presentation policies	7.0 et seq.	5
Ability to meet post timing requirements, emergency coverage and additional support coverage to complete the assignments and emergency requirements.	7.0 et seq.	10

CRITERION	REFERENCES TO APPLICABLE RFP SECTIONS AND SUBMITTALS	MAXIMUM NUMBER OF POINTS
Showing that the Proposer will meet or exceed the RFP requirements, particularly the requirements set forth in the RFP’s Attachment 2, JCC Standard Terms and Conditions, including, but not limited to, Exhibit D, Work To Be Performed.	Attachment 2 and 3: Proposer’s Acceptance of the RFP’s Contract Terms; 7.0 et seq.; signed NDA’s for all persons who received JCC confidential information and worked on the proposal for proposer.	15

10.0 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. 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.

11.0 CONFIDENTIAL OR PROPRIETARY INFORMATION

PROPOSALS ARE SUBJECT TO DISCLOSURE PURSUANT TO APPLICABLE PROVISIONS OF THE CALIFORNIA PUBLIC CONTRACT CODE AND RULE 10.500 OF THE CALIFORNIA RULES OF COURT. The JBE 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 proposals will be disclosed in response to applicable public records requests. Such disclosure will be made regardless of whether the proposal (or portions thereof) is marked “confidential,” “proprietary,” or otherwise, and regardless of any statement in the proposal (a) purporting to limit the JBE’s right to disclose information in the proposal, or (b) requiring the JBE 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. Proposers are accordingly cautioned not to include confidential, proprietary, or privileged information in proposals.

12.0 DISABLED VETERAN BUSINESS ENTERPRISE INCENTIVE

Bidders may receive a DVBE incentive if, in the Court’s sole determination, Bidder has met all applicable requirements. If Proposer receives the DVBE incentive, the total bid price will be adjusted by 3%. This reduction is for evaluation purposes only and will not affect the contract amount.

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

Bidders seeking the DVBE incentive must complete the Bidder Declaration and DVBE Declaration (Attachment 5) with all materials specified.

Bidder Declaration – Each Bidder seeking the DVBE incentive must complete the Bidder Declaration, **Attachment 12**. Only one (1) Bidder Declaration should be submitted for each Bid.

DVBE Declaration – Each DVBE business that will provide goods and/or services in connection with the contract must submit a DVBE Declaration, **Attachment 13** with the bid. This includes subcontractors. If 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 Court may request additional written clarifying information. Failure to provide this information as requested will result in Bidder not receiving the DVBE incentive.

If Bidder receives the DVBE incentive: (i) Bidder will be required to complete a post-contract DVBE certification if DVBE subcontractors are used; (ii) Bidder must use an DVBE subcontractor(s) identified in its Bid unless the Court 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.

13.0 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 JBE to receive a solicitation specifications protest is the proposal due date. Protests must be sent to:

JCC – Contracts
ATTN: Protest Hearing Officer
455 Golden Gate Avenue, 6th Floor
San Francisco, CA 94102