

RFP Title: Personnel Security System  
RFP Number: 5DCA-19-57-RB

# REQUEST FOR PROPOSALS

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***COURT OF APPEAL, FIFTH APPELLATE DISTRICT***

**REGARDING:**

RFP TITLE: PERSONNEL SECURITY SYSTEM

RFP NUMBER: 5DCA-19-57-RB

**PROPOSALS DUE:**

*JUNE 14, 2019 NO LATER THAN 2 P.M. PACIFIC TIME*

## **1.0 DESCRIPTION OF GOODS AND/OR SERVICES**

The California courts of appeal are the state intermediate appellate courts in the U.S. state of California. The state is geographically divided into six appellate districts. In order to improve building security, the Court of Appeal, Fifth Appellate District seeks a Personnel Screening System (single item w/ install), or hereafter referred to as PSS, meeting the following specifications with corresponding services:

1.1 The PSS should be compact and image free. It should deliver high precision and efficient security control, detect objects safely and effectively, while ensuring personal privacy. Rather than generating photographic images, it should evaluate physical information.

1.2 The PSS should eliminate the ambiguity of hand searches. The system should quickly screen people using safe active millimeter wave radio frequency or extremely low power millimeter wave to detect concealed objects made of a broad variety of materials – both metallic and non-metallic – including liquids, gels, rubber, wire, powder, plastics, ceramics, sheet and bulk explosives. These waves should pose no health or safety risks. It should pass through most types of clothing, but do not penetrate the body.

1.3 The experience should be convenient, straightforward and efficient, requiring only a quick, stationary pose for approximately 1.5 seconds that provides scan information on potential threats.

1.4 The PSS should conserve space and consume a small footprint for easy installation. On the inside, it should have advanced state of the art processes and digital scan data using machine trained algorithms and determines if the individual could be cleared. The platform should be upgradeable and enhanced through updates as new threats and requirements emerge.

1.5 The PSS should allow for the operator console/interface to be located at the machine, or remotely away from the machine where security officers are stationed.

1.6 The PSS should be able to be connected to a TCP-IP network for purposes of Internet connectivity allowing for firmware updates as they are released.

1.7 The PSS should accept or require 120VAC or 240/208/277VAC electrical power.

1.8 The PSS should accept all electrical and low voltage cabling (conduit(s)) via bottom/side and from the top to allow for various cabling arrangements due to facility logistics.

1.9 The PSS should provide an image to the security operator(s) showing location of foreign object(s) on a body, in a mannequin (avatar / body outline) fashion, and not show skeletal images that could be perceived as an invasion of privacy to those being scanned.

1.10 The PSS should be accompanied with a service/repair plan that includes onsite repair and remote troubleshooting for rapid resolution of breakdowns or issues.

1.11 The PSS should have interior lighting to allow for a comfortable and safe environment.

1.12 The PSS should be suitable for use in courthouses and government facilities.

1.13 The PSS should pose no health or safety risks to individuals.

1.14 The PSS should not use ionizing radiation.

1.15 The PSS should support network connectivity to allow for central monitoring and control in the case where more than one PSS would be used at a facility.

The intention of this RFP is to arrive at a Master Agreement where the other Judicial Branch Entities (JBEs) can purchase this PSS through the execution of a Participating Addendum. The JBEs include the (58) superior courts, the (6) appellate courts, the Supreme Court, the Judicial Council of California (Judicial Council), and the Habeas Corpus Resource Center (HCRC). Many of these JBE's have multiple physical facilities.

## 2.0 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	May 28, 2019
Deadline for questions	June 3, 2019, 2PM PST
Questions and answers posted ( <i>estimate only</i> )	June 6, 2019
Latest date and time proposal may be submitted	June 14, 2019, 2PM PST
Evaluation of proposals ( <i>estimate only</i> )	June 15 to June 23, 2019

<b>EVENT</b>	<b>DATE</b>
Notice of Intent to Award ( <i>estimate only</i> ) <a href="http://www.courts.ca.gov">www.courts.ca.gov</a>	June 24, 2019
Negotiations and execution of contract ( <i>estimate only</i> )	June 25 to July 5, 2019
Contract start date ( <i>estimate only</i> )	July 8, 2019
Contract end date ( <i>estimate only</i> )	July 7, 2022

### **3.0 RFP ATTACHMENTS**

The following attachments are included as part of this RFP:

ATTACHMENT	DESCRIPTION
Attachment 1: Administrative Rules Governing RFPs	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 Master 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.
Attachment 4: General Certifications Form	The Proposer must complete the General Certifications Form and submit the completed form with its proposal.
Attachment 5: Payee Data Record Form	This form contains information the JBE requires in order to process payments and must be submitted with the proposal.
[Only for solicitations of \$100,000 or more] Attachment 6: Unruh and FEHA Certification	The Proposer must complete the Unruh Civil Rights Act and California Fair Employment and Housing Act Certification.
Attachment 7: Darfur Contracting Act Certification	The Proposer must complete the Darfur Contracting Act Certification and submit the completed certification with its proposal.
Attachment 8: Reference Check	The Proposer must complete Parts I and II of the Contractor Past Performance Evaluation Form

#### 4.0 PAYMENT INFORMATION

- Basis for payments will be completion of installation and successful test of performance
- No expenses (including travel expenses) will be reimbursed by the JBE;
- Progress payments will not be allowed;
- Penalties for late or inadequate performance;
- Estimated budgetary limitations on the contract price should not be more than \$170,000.

## 5.0 SUBMISSIONS OF PROPOSALS

- 5.1 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.
- 5.2 The Proposer must submit its proposal in two parts, the non-cost portion and the cost portion.
- a. The Proposer must submit **one (1) original and two (2) copies** of the non-cost portion of the proposal. The original must be signed by an authorized representative of the Proposer. The original non-cost portion of the proposal (and the copies thereof) must be submitted to the JBE in a single sealed envelope, separate from the cost portion. 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 portion of the proposal. The original must be signed by an authorized representative of the Proposer. The original cost portion of the proposal (and the copies thereof) must be submitted to the JBE in a single sealed envelope, separate from the non-cost portion. 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.
- 5.3 Proposals must be delivered by the date and time listed on the coversheet of this RFP to:
- Bid Desk - RFP Number: 5DCA-19-57-RB  
Branch Accounting and Procurement | Administrative Division  
Judicial Council of California  
455 Golden Gate Avenue, 6th Floor, San Francisco, CA 94102-3688
- 5.4 Late proposals will not be accepted.
- 5.5 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.

## 6.0 PROPOSAL CONTENTS

6.1 Non-Cost Portion. The following information must be included in the non-cost portion of the 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. Model number(s), specifications, or other description of the PSS the Proposer proposes to supply to the JBE, including warranty information throughout the life of the PSS, peak mode, technical specifications, duty cycle, sustainability etc.
- d. Time to repair (TTR) or time window guarantee for a technician to respond onsite based on geographic regions/counties in California.
- e. Extra years of maintenance/service/warranty for a JBE to select and add-on to original purchase, priced for each additional year until the end of the estimated life of the PSS.
- f. Names, addresses, and telephone numbers of a minimum of five (5) clients for whom the Proposer has provided similar PSS. The JBE may check references listed by the Proposer on Attachment 8.
- g. Proposed method to complete the installation work.

List specific aspects of the work that the evaluation team will consider when evaluating the Proposer's method, if any. Examples include installation procedures/methods, site preparation requirements, project/team organization, and time estimates.

List detection characteristics, benefits for operating entity, for operator and for scanned persons.

List the timeline and the phases the complete the work.

NOTE: Conduit/piping, electrical and low voltage cabling (Ethernet) work will be completed separately by an approved California Judicial Branch Facility Services contractor/provider and should not be included within the scope or cost proposal of the RFP response.

- h. 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 (a) a red-lined version of the Terms and Conditions that implements all proposed changes, and (b) a written explanation or rationale for each exception and/or proposed change.
- i. 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. Proposer must submit with its proposal, for itself and each of its affiliates that make sales for delivery into California, a copy of either (i) a California seller's permit issued under Revenue and Taxation Code section 6066 et seq. or (ii) a certificate of registration issued under Revenue and Taxation Code section 6226.
  - iii. 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.
  - iv. Copies of the Proposer’s (and any subcontractors’) current business licenses, professional certifications, or other credentials.
  - vii. 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 bid.
  - viii. The Proposer must complete the Darfur Contracting Act Certification (Attachment 7) and submit the completed certification with its proposal



6.2 Cost Portion. The following information must be included in the cost portion of the proposal.

Good:

- i. The cost per unit for the PSS described in the non-cost information with separate line items for any accessories, add-ons and/or options that are applicable to the PSS that the JBE can select from and include in the purchase (e.g. second operator display/interface, etc.).
- ii. The cost for each additional year of warranty/maintenance/support/service for the PSS so that a JBE can purchase additional years at the time of original purchase of the PSS.

Services:

- i. A detailed line item budget showing total cost of the proposed services (e.g. freight, installation, etc.).
- ii. A full explanation of all budget line items in a narrative entitled "Budget Justification."
- iii. A "not to exceed" total for all work and expenses payable under the contract, if awarded.

**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 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.

## 8.0 EVALUATION OF PROPOSALS

The cost portion of proposals will be publicly opened at the date and time noted in Section 3.0.

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 a contract will be awarded, the JBE will post an intent to award notice at [www.courts.ca.gov](http://www.courts.ca.gov).

<b>CRITERION</b>	<b>MAXIMUM NUMBER OF POINTS</b>
<i>Quality of product(s) and work plan submitted</i>	<b>35%</b>
<i>Experience on similar assignments</i>	<b>15%</b>
<i>Cost</i>	<b>30%</b>
<i>Acceptance of the Terms and Conditions</i>	<b>10%</b>
<i>Time of installation and implementation of the requirements to complete the project</i>	<b>10%</b>

## **9.0 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.

## **10.0 DISABLED VETERAN BUSINESS ENTERPRISE INCENTIVE**

The JBE has waived the DVBE incentive in this solicitation

## **11.0 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](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 non-responsive and will result in rejection of the protest. The deadline for the JBE to receive a solicitation specifications protest is **June 6, 2019**. Protests must be sent to:

RFP Title: Personnel Security System  
RFP Number: 5DCA-19-57-RB

The Protest Officer  
Branch Accounting and Procurement | Administrative Division  
Judicial Council of California  
455 Golden Gate Avenue, 6th Floor, San Francisco, CA 94102-3688