



# REQUEST FOR PROPOSALS

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**JUDICIAL COUNCIL OF CALIFORNIA**

**REGARDING:**

**RFP TITLE:** *APPELLATE JUDICIAL ATTORNEYS INSTITUTE*

**RFP NUMBER:** *CRS PD 192*

**(Full Service)**

**PROPOSALS DUE:**

*Friday, August 5, 2016* NO LATER THAN *End of business.*

## 1.0 BACKGROUND INFORMATION

- 1.1 Judicial Council of California 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 of California is the staff agency for the council and assists both the council and its chair in performing their duties.
- 1.2 The Appellate Judicial Attorneys Institute provides updates on substantive law and procedure, as well as a forum for refining skills and sharing innovative practices.
- 1.3 History of the program –  
Majestic Garden Inn, Anaheim – 2016  
Holiday Inn Golden Gateway – 2015  
Crowne Plaza Anaheim – 2014  
Marriott Santa Clara – 2013  
Westin LAX - 2012

## 2.0 DESCRIPTION OF SERVICES AND DELIVERABLES

The Judicial Council of California seeks the hotel or conference center for the following program:

- Title: Appellate Judicial Attorneys Institute
- Dates: April 4-7, 2017  
April 18-21, 2017  
April 25-28, 2017
- Description: Furnish sleeping rooms, meals and facilities for the program
- Location: San Francisco, San Francisco Airport area, San Jose, or Oakland
- Payment: American Express Meeting Planner Account
- Judicial Council of California's maximum termination fee and maximum for meeting and function rooms rental: \$10,000.00
- Judicial Council of California's maximum sleeping room unit rate: \$150.00 (San Francisco - \$140.00 (San Francisco Airport area, San Jose & Oakland)

- Judicial Council of California’s maximum food and beverage unit rates for group meals including tax and gratuity:

<u>Breakfast</u>	<u>AM Coffee Service</u>	<u>Lunch</u>
<u>\$25.00</u>	<u>\$8.00</u>	<u>\$40.00</u>

- Judicial Council of California’s maximum requirements for meeting and functions, food and beverage and sleeping room blocks are detailed on the Form for Submission of the Technical Details in Attachment 5.

### 3.0 TIMELINE FOR THIS RFP

The Judicial Council of California 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 of California.

<b>EVENT</b>	<b>DATE</b>
RFP issued	<b>July 22, 2016</b>
Deadline for questions to <a href="mailto:conferencesolicitations@jud.ca.gov">conferencesolicitations@jud.ca.gov</a>	<b>Thursday, July 28, 2016</b>
Questions and answers posted ( <i>estimate only</i> )	<b>Friday, July 29, 2016</b>
Latest date and time proposal may be submitted	<b>Friday, August 5, 2016</b>
Evaluation of proposals ( <i>estimate only</i> )	<b>Week of August 8, 2016</b>
Short list of venues to be determined and site visits or interviews to be arranged. ( <i>estimate only</i> )	<b>Week of August 15, 2016</b>
Notice of Intent to Award ( <i>estimate only</i> )	<b>Week of September 5, 2016</b>
Negotiations and execution of contract ( <i>estimate only</i> )	<b>Week of September 26, 2016</b>
Contract start date ( <i>estimate only</i> )	<b>Week of September 26, 2016</b>
Contract end date ( <i>estimate only</i> )	<b>Two days following close of program</b>

#### 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: Judicial Council of California Standard Terms and Conditions	If selected, the person or entity submitting a proposal (the “Proposer”) must sign a Judicial Council of California Standard Form agreement containing these terms and conditions (the “Terms and Conditions”).  The provisions marked with an (*) within the Terms and Conditions are minimum contract terms and conditions (“Minimum Terms”).
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: Darfur Contracting Act Certification	Proposer must complete the Darfur Contracting Act Certification and submit the completed certification with its proposal.
Attachment 5: Submission form for Technical & Cost Proposal	This form details the technical and cost requirements for the program and must be completed and submitted in response to RFP’s technical requirements.
Attachment 6: Conflict of Interest Certification Form	Proposer must complete Conflict of Interest Certification and submit the completed certification with its proposal

#### 5.0 SUBMISSIONS OF PROPOSALS

- 5.1 Proposals should provide straightforward, concise information that satisfies the requirements of Section 7 (“Proposal Contents”). 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 **one (1) original and one (1) copy** of the technical proposal and the cost proposal, as well as the additional attachments. The original must be signed by an authorized representative of the Proposer. The

Bidder must write the RFP title and number on the outside of the sealed envelope.

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

Judicial Council of California  
Attn: 5th Floor Receptionist, **RFP# CRS PD 192**  
455 Golden Gate Avenue 5th Floor  
San Francisco, CA 94102

- 5.4 Late proposals will not be accepted.
- 5.5 Only written proposals will be accepted (no electronic proposals accepted). Proposals should 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 & COST CONTENTS

6.1 **Technical & Cost Proposal (Attachment 5).** The following information must be included in the technical & cost proposal. A proposal lacking any of the following information may be deemed non-responsive.

- a. Legal name and address of firm (Proposer), the Contact's name, title, telephone numbers and email address, federal tax identification number, web site, hotel check-in/out time, and guest room reservation cancellation policy. Note that if Proposer is a sole proprietor using his or her social security number, the social security number will be required before finalizing a contract
- b. Propose meeting and function room schedule, including date, time and a description of the meeting and function room (noting dimensions, any odd shapes, angles, pillars and other salient characteristics). Propose schedule based upon the estimated meeting and function room block indicated on Attachment 5. Answer additional questions regarding the meeting space.
- c. Propose program date and answer ADA compliance and AV questions.
- d. Propose meeting and function room rates.
- e. Propose termination fee and corresponding effective deadline date.
- f. Propose food and beverage menus, and food and beverage unit rate(s) inclusive of any service charges, gratuity, and/or sales tax based upon allowable maximum unit prices reimbursable by the Judicial Council of California in Section 2.
- g. Propose sleeping room unit rate(s).

- h. Propose the cut-off date for reservations.
- i. Propose the sleeping room rate(s) for tax and/or surcharges.
- j. Propose parking passes, complimentary passes and normal parking rate(s), inclusive of any service charges, gratuity, and/or sales tax.
- k. Propose Internet fees for meeting space and individual guest rooms.
- l. Acceptance of additional program needs and concessions.
- m. Provide the signature of the proposer.

**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.

6.2. Acceptance of the Terms and Conditions.

- i. On Attachment 3, the Proposer must either indicate acceptance of the Terms and Conditions or clearly identify exceptions to the Terms and Conditions in the Standard Agreement (Attachment 2).
- ii. If exceptions are identified, the Proposer must also submit a red-lined version of the Terms and Conditions that clearly tracks proposed changes, and 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.**

6.3. Certifications, Attachments, and other requirements.

- i. Proposer must include the following certification in its proposal:  
  
Using Attachment 6, Proposer 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 Proposer has had business activities or other operations outside of the United States within the previous three years, Proposer must complete the

Darfur Contracting Act Certification attached as Attachment 4 and submit the completed certification with its proposal.

- iii. If Proposer is a corporation, proof that Proposer is in good standing and qualified to conduct business in California.

#### 6.4 **Submission of Proposals**

##### a. **The Proposer should include the following attachments:**

- **Attachment 2 – Judicial Council of California Standard Terms and Conditions – only if there are exceptions/modifications as indicated on Attachment 3.**
- **Attachment 3 – Proposer’s Acceptance of Terms and Conditions**
- **Attachment 4 – Darfur Contracting Act Certification**
- **Attachment 5 – Submission form for Technical & Cost Proposal**
- **Attachment 6 – Conflict of Interest Certification Form**
- **Capacity chart and floor plan**

#### 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 ninety (90) day period, the Judicial Council of California reserves the right to negotiate extensions to this period.

#### 8.0 **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 Judicial Council of California 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.

CRITERION	PERCENTAGE
Cost	35%
Acceptance of Terms and Conditions	10%
Property	30%
Food and Beverage Considerations	15%
Concessions	10%

## 9.0 INTERVIEWS

The Judicial Council of California may conduct interviews with Proposers to clarify aspects set forth in their proposals. If conducted, interviews will likely be conducted by phone or during site visits. The Judicial Council of California will not reimburse Proposers for any costs incurred pertaining to an interview, including travel expenses. The Judicial Council of California will notify eligible Proposers regarding interview arrangements.

## 10.0 RIGHTS

The Judicial Council of California 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, obligation, or contract and in no way is the Judicial Council of California or the State of California responsible for the cost of preparing a proposal. One copy of each proposal will be retained by the Judicial Council of California for official files and will become a public record.

## 11.0 CONFIDENTIAL OR PROPRIETARY INFORMATION

California judicial branch entities are subject to rule 10.500 of the California Rule of Court (see [www.courtinfo.ca.gov/cms/rules/index.cfm?title=ten&linkid=rule10\\_500](http://www.courtinfo.ca.gov/cms/rules/index.cfm?title=ten&linkid=rule10_500)), 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 of California'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 of California finds or reasonably believes that the material so marked is **not** exempt from disclosure, the Judicial Council of California will disclose the information regardless of the marking or notation seeking confidential treatment.

## 12.0 DISABLED VETERAN BUSINESS ENTERPRISE PARTICIPATION GOALS

The Judicial Council of California has waived the inclusion of DVBE participation in this solicitation



### 13.0 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 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 Judicial Council of California to receive a solicitation specifications protest is the due date and time for submittal of proposals.

Protests should be sent to:

JUDICIAL COUNCIL OF CALIFORNIA – Business Services  
ATTN: Protest Hearing Officer  
455 Golden Gate Avenue, Seventh Floor  
San Francisco, CA 94102

**The Judicial Council of California, Conference & Registration Services does not retain the services of third party or outsourced representation. All quoted rates are to be net, not commissionable.**