

RFP Title: **Ergonomic Assessment Services**

RFP Number: **HR-LV-112015**



REQUEST FOR PROPOSALS

JUDICIAL COUNCIL OF CALIFORNIA

REGARDING:

Ergonomic Assessment Services

RFP: HR-LV-112015

PROPOSALS DUE:

February 23, 2016, NO LATER THAN 3:00 P.M. (PACIFIC TIME)

1.0 BACKGROUND INFORMATION

1.1 Judicial Council of California

The Judicial Council of California (“Judicial Council”), chaired by the Chief Justice of California, is the primary policy making body of the California judicial branch. The California Constitution directs the Judicial 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 Judicial Council also adopts rules for court administration, practice, and procedure, and performs other functions prescribed by law. Judicial Council staff assists both the Judicial Council and its chair in performing their duties.

1.2 RFP Purpose

The Judicial Council seeks to reduce the number of repetitive stress injuries suffered by employees, to reduce workers’ compensation costs, and to foster good health and self-awareness. The Judicial Council, and the Judicial Council on behalf of the Supreme Court of California, the California Courts of Appeal, the Habeas Corpus Resource Center, and the California Judicial Center Library collectively the “Purchasing Group” and each a “Member,” requests proposals from highly qualified Proposers with expertise in performing ergonomic assessments, as needed, for current employees.

A Member may elect, but is not required, to purchase such services via its own purchase order from any Master Agreement that may result from this RFP. This RFP does not include the purchase of any new ergonomic equipment, supplies, and installation stemming from the results of ergonomic evaluations. Equipment must be purchased separate from the Master Agreement by the Member.

1.3 State Judicial Branch Composition and Locations

There are approximately 1,614 employees of the state judicial branch located statewide. As of October 5, 2015, each Member entity has the following approximate number of employees with their addresses listed below:

Northern California Region

- 1.3.1 Supreme Court of California – 120
350 McAllister Street, San Francisco, CA 94102
- 1.3.2 California Judicial Center Library – 11
455 Golden Gate Avenue, 4th Floor, San Francisco, CA 94102
- 1.3.3 California Court of Appeal, First Appellate District – 93
350 McAllister Street, San Francisco, CA 94102
- 1.3.4 California Court of Appeal, Third Appellate District – 78
621 Capitol Mall, 10th Floor, Sacramento, CA 95814
- 1.3.5 Judicial Council of California – 692
455 Golden Gate Avenue, San Francisco, CA 94102
2860 Gateway Oaks Drive, Suite 400, Sacramento, CA 95833
2850 Gateway Oaks Drive, Suite 300, Sacramento, CA 95833
2880 Gateway Oaks Drive, Suite 150, Sacramento, CA 95833
770 L Street, Suite 1240, Sacramento, CA 95814
- 1.3.6 Habeas Corpus Resource Center – 78
303 Second Street, Suite 400 South, San Francisco, CA 94107

Central California Region

- 1.3.7 California Court of Appeal, Fifth Appellate District – 69
2424 Ventura Street, Fresno, CA 93721
- 1.3.8 California Court of Appeal, Sixth Appellate District – 46
333 W. Santa Clara Street, #1060, San Jose, CA 95111

Southern California Region

- 1.3.9 California Court of Appeal, Second Appellate District – 232
300 South Spring St., 3rd Floor, Los Angeles, CA 90013
200 East Santa Clara, Ventura, CA 93001
- 1.3.10 California Court of Appeal, Fourth Appellate District – 104
3389 12th Street, Riverside, CA 92501
601 W. Santa Ana Blvd. Santa Ana, CA 92701
- 1.3.11 Judicial Council of California – 49
2255 North Ontario Street, Suite 200, Burbank, CA 91504

San Diego Region

- 1.3.12 California Court of Appeal, Fourth Appellate District – 59
750 B Street, Suite 300, San Diego, CA 92101

Due to the geographic locations where assessments are needed, the Judicial Council may elect to enter into an agreement with one service provider for Northern California, one service provider for Central California, one service provider for Southern California and one service provider for San Diego, California offices.

2.0 DESCRIPTION OF SERVICES AND DELIVERABLES

The Judicial Council of California seeks the services of a proposer to perform ergonomic assessments, as needed, for current employees who request workstation changes. The proposer

will also be responsible for any equipment recommendations and follow-up assessments on as-needed basis.

Under the Master Agreement, any Member can establish a purchase order with the successful proposer for the provision of ergonomic assessment services. There is no guarantee of any minimum quantity of purchase orders to be initiated by Members from any Master Agreement that may result from this RFP.

2.1 Contract Term

- 2.1.1 Services are estimated to be performed by the successful Proposer(s) from July 1, 2016, through June 30, 2018. The Initial Term of the Contract shall be for two (2) years with three (3) one-year options to extend the term of the contract. Any Option Term may be exercised at the Judicial Council's sole discretion. If the Judicial Council elects to exercise an Option Term pricing may be adjusted so long as the adjustment does not exceed the lesser of 3% or the percentage change in the 12-month average of the Consumer Price Index (CPI), below.

Bureau of Labor Statistics

http://data.bls.gov/timeseries/CUUR0000SA0?output_view=pct_12mths

Consumer Price Index – All Urban Consumers

12-Month Percent Change

Series ID: CUUR0000SA0

Not Seasonally Adjusted

Area: U.S. city average

Item: All items

Base Period: 1982-84=100

2.2 Project Management

- 2.2.1 The Judicial Council's Human Resources office administers the Master Agreement(s) and the ergonomic program for staff of the Judicial Council. Human Resources staff will partner with the successful proposer to ensure that ergonomic assessments are made available to all Judicial Council employees who require work station adjustments to comfortably meet their needs.

The Judicial Council has designated a Project Manager to oversee the work to be performed by the successful proposer. The Judicial Council Project Manager will be responsible for managing, scheduling, and coordinating all Judicial Council ergonomic assessment requests made by its employees.

- 2.2.2 Other Members, as noted in Section 1.2, may request ergonomic assessments for their staff directly with the successful Proposer. Each Member will

designate a Project Manager to schedule and coordinate assessments for its employees.

- 2.2.3 The successful Proposer(s) will be required to designate a Project Manager that will be responsible for coordinating its team and interacting with the Judicial Council in order to complete the work required in this RFP. The selected firm's Project Manager will have day-to-day responsibilities for meeting the contract/RFP objectives and completing the project on time and within budget with sufficient quality control. Whenever possible, a situation should be remedied by making adjustments to or re-arranging existing equipment. Assessments should be made with consideration given to cost containment issues.

2.3 Scheduling

- 2.3.1 The Member, through its designated Project Manager, will coordinate the logistics of the assessment appointment. If there are multiple assessments needed in the same location or facility, the Member will make best efforts to schedule the appointments back-to-back. The successful Proposer(s) must be available to schedule any assessments or follow-up assessments within two weeks from the date requested by the Member.

2.4 Assessment and Report Requirements

Under the purchase order, the Proposer will perform ergonomic assessments to promote a better fit between the employee and their workstation. Assessments should be appropriate for a variety of situations, which can include assessments for new employees, adjustments requested as a result of upgraded office equipment, or after renovation or relocation. Assessments will be performed using a blend of administrative and limited engineering controls, to achieve the goal of a safe workstation.

The successful Proposer must be able to perform the following assessment and reporting activities:

- 2.4.1 Perform an on-site assessment or follow-up assessment taking into consideration the employee's workstation configuration, job tasks, and employee's posture and movement patterns at the workstation.
- 2.4.2 Provide one-on-one consultation to the employee on proper posture, ergonomic best practices, and ergonomic risk factors including tips, exercises, and behavior modification to prevent and/or reduce further injury or reduce pain.
- 2.4.3 Provide to the Member's designated Project Manager a written report in hard and soft copies (preferably Microsoft Word or Adobe PDF). The written report must include:
- i. Purchase Order Number;
 - ii. Agency (Member) Name;

- iii. Member’s Project Manager;
- iv. Date of assessment;
- v. Name of the individual receiving the assessment;
- vi. Building address and workstation location;
- vii. Description of current workstation configuration;
- viii. Information on observations and discussions with the person being assessed, including if any, metrics, risk factors chart, pain and discomfort levels;
- ix. Findings and recommendations, including the most cost effective product recommendations and/or specifications, adjustments, and suggestions for improving workstation efficiency and safety, and work habit corrections; and
- x. Photographs of the workstation, before and, if applicable, after workstation modifications.

Hard copy report must be signed by the evaluator.

3.0 TIMELINE FOR THIS RFP

3.1 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	January 20, 2016
Deadline for questions	February 2, 2016
Questions and answers posted (<i>estimate only</i>)	February 17, 2016
Latest date and time proposal may be submitted	February 23, 2016 3:00 P.M. Pacific Time
Evaluation of proposals (<i>estimate only</i>)	March 7, 2016
Anticipated interview dates (<i>estimate only</i>)	March 21, 2015
Notice of Intent to Award (<i>estimate only</i>)	April 5, 2016
Negotiations and execution of contract (<i>estimate only</i>)	April 26, 2016
Contract start date (<i>estimate only</i>)	July 1, 2016
Contract end date (<i>estimate only</i>)	June 30, 2018

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	If selected, the person or entity submitting a proposal (the “Proposer”) must sign this JBE Standard Form agreement (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: Darfur Contracting Act Certification	The Proposer must complete the Darfur Contracting Act Certification and submit the completed certification with its proposal.
Attachment 6: Payee Data Record Form	This form contains information the JBE requires in order to process payments and must be submitted with the proposal.
Attachment 7: Pricing Form	This form contains the cost information required from the Proposer.
Attachment 8: DVBE Declaration	This form is optional and only needs to be submitted if proposal meets DVBE requirements.

5.0 PAYMENT INFORMATION

- 5.1 Any Master Agreement awarded under this RFP will not be funded. Instead, Members may, at their discretion, initiate purchase orders at the prices and under the Terms and Conditions of the Master Agreement.
- 5.2 Payment will be made after the successful proposer submits a valid invoice, referencing the appropriate purchase order, to the Member.
- 5.3 All fees and charges proposed must be inclusive of any and all anticipated travel, lodging, transportation, clerical support, materials, fees, overhead, profits, and other costs and/or expenses incidental to the performance of the specified requirements of this RFP.
- 5.4 Additional payment information and terms and conditions applicable to this RFP are found in Attachment 2, Standard Terms and Conditions, Exhibit C, Payment Provisions.

6.0 SUBMISSIONS OF PROPOSALS

- 6.1 Proposers 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 the following manner..
- a. The Proposer must submit **one (1) original and three (3) copies** of the proposal. The proposal must be signed by an authorized representative of the proposer. The proposal must be submitted to the Judicial Council in a single sealed envelope. The Proposer must write the RFP title and number on the outside of the sealed envelope.
 - b. The Proposer must submit an electronic version of the entire proposal on CD/DVD-ROM or 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:
- Attention: Nadine McFadden**
RFP No: HR-LV-112015
Judicial Council of California
455 Golden Gate Avenue, 6th Floor
San Francisco, CA 94102-3688
- 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

Proposal

The information in paragraphs 7.1.1 through 7.3.4 must be included in the proposal. A proposal lacking any of the following information may be deemed non-responsive.

- 7.1.1 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.
- 7.1.2 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.

7.1.3 For each key staff member, a resume describing:

- i. Education and work history of the key staff who will perform the assessments;
- ii. Their basic knowledge of biological, psychological and engineering sciences; and
- iii. Their ability and experience in performing the proposed activities.

At the minimum, the Proposer's designated Project Manager must be identified along with their roles as proposed in performing the work required in this RFP.

7.1.4 Names, addresses, and telephone numbers of a minimum of **three (3)** clients for whom the Proposer has conducted similar services. The scope of work and contract rates should be included for each client reference. The Judicial Council will check references listed by the Proposer.

- i. The Judicial Council will assess each reference's response in terms of the proposer's timeliness, accuracy, and reliability of reports and advice.

7.1.5 Proposed method to complete the work:

- i. Clearly state the Region(s) proposer is proposing to provide Ergonomic Assessment Services.
- ii. Provide a brief history of your firm including:
 - a. A description of your firm's services and capabilities;
 - b. A statement referencing when you/your firm began providing ergonomic assessments;
 - c. A statement referencing any awards or industry recognition you/your firm has received; and
 - d. A statement referencing the number of ergonomic assessments completed in the past year and the approximate percentage specifically related to workstation analysis and recommendations.
- iii. Provide three (3) redacted samples of assessments similar to those required in this RFP in the following manner:
 - a. The samples must be redacted to remove any and all references to the person being evaluated, and the company name where the person being evaluated worked; and
 - b. On a separate document, include a short synopsis describing the need or the reason for the evaluation as well as the thought behind the proposed cost efficient solution(s).

If samples or any part of your proposal are proprietary, confidential, or copyrighted, your proposal must clearly identify the parts so affected

and you must include a release statement to permit the Judicial Council to use the samples and proposal for evaluation purposes.

- iv. Submit a work plan that includes:
 - a. A synopsis of how it would meet or comply with the specifications in Section 2, Description of Services and Deliverables, above;
 - b. A description of how issues/challenges/problems are resolved; and
 - c. A description of the ergonomic tools and/or techniques used in its evaluations.

7.1.6 Cost Proposal

Proposers must submit their pricing using Attachment 7, Pricing Form.

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.

7.2 Acceptance of the Terms and Conditions

7.2.1 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.

7.2.2 If exceptions are identified, the Proposer must also submit (i) a red-lined version of the Terms and Conditions (Attachment 2) that implements all proposed changes, and (ii) a written explanation or rationale for each exception and/or proposed change.

7.3 Certifications, Attachments, and other requirements

7.3.1 The Proposer must complete the General Certifications Form (Attachment 4) and submit the completed form with its proposal.

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

7.3.3 If the Proposer is a California corporation, limited liability company (“LLC”), limited partnership (“LP”), or limited liability partnership (“LLP”), proof that the Proposer is in good standing in California. If the Proposer is a foreign corporation, LLC, LP, or LLP, and the Proposer conducts or will conduct (if awarded the contract) intrastate business in California, proof that the Proposer is qualified to do business and in good standing in California. If the Proposer is a foreign corporation, LLC, LP, or LLP, and the Proposer does not (and will not if awarded the contract) conduct intrastate business in California, proof that the Proposer is in good standing in its home jurisdiction.

7.3.4 The Proposer must provide a copy of CPE (Certified Professional Ergonomist) or CEA (Certified Ergonomics Associate) from the Board of Certification in Professional Ergonomics (BCPE), or equivalent in a related field for the individuals that will perform assessments.

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 Judicial Council 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.

For each region the Judicial Council 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 in each region. Although some categories are weighted more than others, all are considered necessary, and a proposal must be technically acceptable in each area to be eligible for award. If a proposer is awarded more than one region the proposer will execute one contract for all regions awarded.

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

The evaluation criteria, maximum possible points for each category and referenced RFP sections for each criterion are set forth below:

CRITERION	MAXIMUM NUMBER OF POINTS	REFERENCED RFP SECTIONS
Company stability and capabilities	15	Section(s) 7.1.1, 7.1.2, 7.1.5 - ii (a, b, c, d), 7.3.1, 7.3.2, 7.3.3
General quality of work plan	15	Section 7.1.5 - iv (a, b, c)
Credentials of staff to be assigned to the project	15	Section 7.1.3 – i through iii Section 7.3.4
Evaluation of samples	7	Section 7.1.5 – iii (a, b)
References	5	Section 7.1.4

CRITERION	MAXIMUM NUMBER OF POINTS	REFERENCED RFP SECTIONS
Reasonableness of cost/fee proposal	30	Section 7.1.6 and Attachment 7 Pricing Forms
DVBE – Disabled Veteran’s Business Enterprise	3	Attachment 8 DVBE Declaration
Acceptance of Contract	10	Section 7.2 and Attachment 3, Proposers Acceptance of Terms and Conditions

10.0 INTERVIEWS

The Judicial Council will 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 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 Judicial Council 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 Judicial Council’s right to disclose information in the proposal, or (b) requiring the Judicial Council 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 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 Judicial Council to receive a solicitation specifications protest is the proposal due date. Protests must be sent to:

Attention: Nadine McFadden
RFP No: HR-LV-112015
Judicial Council of California
455 Golden Gate Avenue, 6th Floor
San Francisco, CA 94102-3688