



REQUEST FOR PROPOSALS

**JUDICIAL COUNCIL OF CALIFORNIA
(JCC)**

Regarding:

Non-sworn, unarmed, uniformed Security Guard Services, RFP No. RFP-Appellate-042216-HS

PROPOSALS DUE: MAY 12, 2016, 1PM PDT

1. 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 in each designated court location. The services contemplated in this 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. DESCRIPTION OF SERVICES AND DELIVERABLES

- 2.1. The JCC (the "State") 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. The estimated annual cost to the JCC for the services in this RFP will be between \$900,000.00 and \$1,000,000.
- 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 expended 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, in its entirety, prior to submitting a proposal.

- 2.4. Incumbent Personnel: Successful bidders are encouraged to work with any of the individual appellate courts on incumbent personnel transfer (as the case may be), if the court indicates that the incumbent meets or exceeds their requirements. Proposers will detail their plans to include this process in their hiring policies if they are successful in gaining this contract.
- 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 by the on-site Court of Appeal contact at each location designated in the contract in writing in advance unless it is part of the pre-determined work schedule agreed upon.

3. TIMELINE FOR THIS RFP

The JCC has developed the following list of key events related to this RFP. All dates are subject to change at the discretion of the JCC.

EVENT	DATE
RFP issued to Proposers	4/22/2016
In order to attend the Pre-Proposal Conference, Non-Disclosure Agreements must be signed and submitted to solicitations@jud.ca.gov by:	Close of Business 4/27/2016
Mandatory Pre-Proposal Conference	5/3/16 <i>Logistics will be provided upon receipt of a signed Attachment 8, Non-Disclosure Agreement.</i>
Deadline for questions to solicitations@jud.ca.gov	5/4/16
Questions and answers provided to those who attended the mandatory Pre-Proposal conference (<i>estimate only</i>)	5/5/16
Proposal Due Date - Latest date and time proposals may be submitted	5/12/16 1:00 pm Pacific Time
Anticipated interview dates and evaluation of proposals (<i>estimate only</i>)	Early Week of 5/16/16
Notice of Intent to Award (<i>estimate only</i>)	5/19/16
Negotiations and execution of contract (<i>estimate only</i>)	5/23/16
Contract start date (<i>estimate only</i>)	June 1, 2016
Contract end date (excludes renewal option term) (<i>estimate only</i>)	May 31, 2018

4. RFP ATTACHMENTS

The following attachments are included as part of this RFP:

ATTACHMENT	DESCRIPTION
Attachment 1: Administrative Rules Governing RFPs (Non-IT Services)	These are the rules governing this solicitation.
Attachment 2: JCC Standard Terms and	If selected, the person or entity submitting a proposal (the "Proposer") must sign a JCC Standard Form agreement

ATTACHMENT	DESCRIPTION
Conditions	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 the Terms and Conditions (addition, deletion, or other modification) will render a bid 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 proposal.
Attachment 5, Cost/Fee Proposal Form	Proposer must use only this form to propose its pricing necessary to perform of the work set forth in Attachment 2, JCC Standard Terms and Conditions.
Attachment 6: Darfur Contracting Act Certification	Proposer must complete the Darfur Contracting Act Certification and submit the completed certification with its proposal.
Attachment 7: No Conflict of Interest Certification	Proposer must complete the No Conflict of Interest 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 proposer.
Attachment 9, References Form	Proposers must use this form to provide their references.
Attachment 10, Bidder Declaration	This form needs to be signed by Proposer if vendor is participating in the DVBE incentive and submitted with bid.
Attachment 11, DVBE Declaration	This form needs to be signed by Proposer if vendor is participating in the DVBE incentive and submitted with bid.

5. 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 on this RFP will take place for a time period of one and a half hours (1.5 hours). Proposer’s representatives that will attend or participate via conference call in the Mandatory Pre-Proposal Conference or receive required confidential information related to this RFP must first submit a completed **Attachment 8**, Non-Disclosure Agreement. Additional logistics for the Mandatory Pre-Proposal Conference will be provided to each person that submits a completed Non-Disclosure Agreement (“NDA”) by the date and time set forth in Section 3, Timeline For This RFP. Completed and signed NDA within seventy-two (72) hours of the Mandatory Pre-Proposal Conference 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 information and logistics regarding the Mandatory Pre-Proposal Conference to each Proposer submitting

an NDA. No contractor shall in any circumstance contact any court personnel or existing guard staff until they receive an intent to award letter.

- 5.2. 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 will reject a proposal from any Proposer who did not attend the Mandatory Pre-Proposal Conference.

6. SUBMISSIONS OF PROPOSALS

- 6.1. 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.
- 6.2. The Proposer must submit on or before the Proposal Due Date the following in a sealed envelope: i) one (1) original proposal signed by an authorized representative of the Proposer and four (4) copies, and ii) an electronic version of the entire proposal on CD-ROM. The files contained on the CD-ROM should be in PDF, Word, or Excel formats. The Proposer must write the RFP title and number on the outside of the sealed envelope.
- 6.3. Proposals must be delivered by the date and time listed on the coversheet of this RFP to:

Judicial Council of California
Attn: Nadine McFadden, RFP-Statewide-042216-HS
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. PROPOSAL CONTENTS

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

- 7.1. Proposer’s name, address, telephone and fax numbers, federal tax identification number, and a detailed description of existing offices and infrastructure in California.

- 7.2. Name, title, address, telephone number, and email address of the individual who will act as Proposer's designated representative for purposes of this RFP.
- 7.3. For each key staff member: a resume describing the individual's background and experience, as well as the company's ability and experience in conducting the proposed activities.
- 7.4. Proposer's 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. Proposer's 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.
- 7.5. Proposed method to complete the work.
 - 7.5.1. Proposer experience in providing unsworn, unarmed security service in an office, professional environment.
 - 7.5.2. 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 plans on incumbent personnel transfer in their hiring process if the Proposer is awarded a contract.
 - 7.5.3. Proposer's system of supervision, offices and Human Resource support for their staff.
 - 7.5.4. Methods to ensure all posts are staffed within one hour of a post vacancy for any reason.
 - 7.5.5. Type, fit of uniforms for both male and female employees, including company policy on uniform cleaning and appearance.
- 7.6. 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.
- 7.7. Proposer must include the following certifications, attachments, and other requirements in its proposal:
 - 7.7.1. **Attachment 3**: Proposer's Acceptance of the RFP's Contract Terms.
 - 7.7.2. **Attachment 4**: Payee Data Record Form

7.7.3.**Attachment 5:** Cost Fee Proposal Form

7.7.4.**Attachment 6:** Darfur Contracting Act Certification.

7.7.5.**Attachment 7:** No Conflict of Interest Certification

7.7.6.**Attachment 8:** Non-Disclosure Agreements (NDA). To be signed by all persons working on the proposal who will attend the Mandatory Pre-Proposal Conference and/or have access to JCC's confidential information.

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

7.7.8.**Attachment 9:** Reference Form. Proposers shall use Attachment 9 Reference Form and provide the names, addresses, and telephone numbers of a minimum of four (4) clients for whom the Proposer has conducted similar services. The JCC may check references listed by Proposer.

7.7.9.**Attachment 10 and 11:** Bidder Declaration and DVBE Declaration: Proposers shall use Attachments 10 and 11 if they are seeking the DVBE incentive. Only one (1) Bidder Declaration along with one (1) DVBE Declaration should be submitted for each proposal.

7.7.10. Copies of current business licenses, professional certifications, or other credentials.

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

7.8. Cost Proposal. Proposers must complete **Attachment 5**, Cost/Fee Proposal Form and included 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.

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.

8. 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 JCC reserves the right to negotiate extensions to this period.

9. 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 JCC 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	REFERENCES TO APPLICABLE RFP SECTIONS AND SUBMITTALS	MAXIMUM NUMBER OF POINTS
Experience in similar professional environments	7.3, 7.4.1, 7.4.2, 7.4.3	20
Existing offices and infrastructure in California	7.1	15
Cost	Attachment 5, Cost/Fee Proposal Form, 7.7	30
Pre-post training plans and post assignment training plans and other policies	7.5	5
Uniforms, uniform maintenance, internal uniform and presentation policies	7.4.5	5
Ability to meet post timing requirements, emergency coverage and additional support coverage to complete the assignments and emergency requirements.	7.4.4	15
Acceptance of the RFP's Attachment 2, JCC Standard Terms and Conditions; and responsiveness to RFP requirements	Attachment 3: Proposer's Acceptance of the RFP's Contract Terms, 7.2, all items under 7.6 through 7.6.9, signed NDA's for all persons who received JCC confidential information and worked on the proposal for proposer.	10

10. INTERVIEWS

The JCC 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 JCC's offices in San Francisco. The JCC will not reimburse Proposers for any costs incurred in traveling to or from the interview location. The JCC will notify eligible Proposers regarding interview arrangements.

11. CONFIDENTIAL OR PROPRIETARY INFORMATION

One copy of each proposal will be retained by the JCC for official files and will become a public record. California judicial branch entities are subject to rule 10.500 of the California Rule of Court, which governs public access to judicial administrative records (see www.courtinfo.ca.gov/cms/rules/index.cfm?title=ten&linkid=rule10_500).

If information submitted in a proposal contains material noted or marked as confidential and/or proprietary that, in the JCC'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 JCC finds or reasonably believes that the material so marked is **not** exempt from disclosure, the JCC will disclose the information regardless of the marking or notation seeking confidential treatment.

12. DISABLED VETERAN BUSINESS ENTERPRISE PARTICIPATION GOALS

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 10**. 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 11** 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

RFP Title: Unarmed Security Guard Services
RFP Number: RFP-Appellate-042216-HS

substitution of another DVBE; and (iii) failure to meet the DVBE commitment set forth in its proposal will constitute a breach of contract.

FRAUDULENT MISREPRESENTATION IN CONNECTION WITH THE DVBE INCENTIVE IS A MISDEMEANOR AND IS PUNISHABLE BY IMPRISONMENT OR FINE, AND VIOLATORS ARE LIABLE FOR CIVIL PENALTIES

13. 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). 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 JCC to receive a solicitation specifications protest is the Proposal Due Date set forth in Section 3, Timeline For This RFP. Protests should be sent to:

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