

**Form for Vendor Submission of Questions
ATTACHMENT M**

Q #	Questions	RFQ Reference (Document & Page-Section-Item)	Answers
1	Do you want us to place Forms, G, H, J & K in an Appendix? You mention specific sections for the other forms, but not G, H, J & K.	Page 6, 4.4	Attachments / Forms G, H, J & K should be placed at the end of your proposal under a tab titled "Attachments".
2	I am assuming that a SF 330 form is not required?		Form SF 330 is not included in this solicitation. Attachment D, Qualifications Questionnaire covers content generally included in the form SF 330.
3	Background Checks is supposed to be in a section, but nowhere does it ask for a statement. What are you looking for in this section? Typically the background check form is filled out after an award of contract is made?	Page 10, 4.4.19	No statement is required. We want you to be aware of Attachment E, Judicial Council's Form of Standard Agreement, Exhibit A, Article 21, Background Checks. Article 21 outlines the obligation of the Judicial Council's Background Check Policy that gives the right to do a background check to persons that have access to systems or premises of the Court.

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4	Are you looking for a full team or just the architectural firm's resumes? No sub-consultants required?	Page 8, 4.4.7.1	We are requesting you identify key personnel of the consultant. For purposes of the Judicial Council's Form of Standard Agreement (Attachment E), no sub-consultants need to be identified. However, Exhibit A, Article 25.1, Subcontracting, describes the process for identifying sub-consultant(s) as part of a service work order.
5	Do we have to submit separate proposals for the different regions? Or can we submit one proposal and state the regions that we are submitting for in our cover letter?	Page 6, 4.4.1	No. You do not need to submit separate proposals for the different regions. The cover letter shall clearly indicate the Judicial Council service region(s) you wish to be considered for (Bay Area / North Coastal Region, Northern / Central Region, and/or Southern region). See Attachment B – Map of Regions.

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7	<p>In the RFP it asks for financial resources and to include a certification of correctness. Do we need to submit an audited financial statement or can an officer of the firm provide the certification of correctness?</p>	<p>Page 9, 4.4.10.4</p>	<p><u>Updated Response to Question No. 7:</u> RFP Section - 4.4.10.4 states, “Provide a statement of Consultant’s financial resources and insurance coverage. Include a certification of correctness of Consultant’s statement of financial resources.”</p> <p>The certification of correctness may be a letter signed by an officer of the Firm with the authority to certify that the financial statement provided is correct.</p> <p>Attachment D – Qualifications Questionnaire states, “Submit a financial statement for the past two (2) full fiscal years. A letter verifying availability of a line of credit may also be attached; however, it will be considered as supplemental information only, and is not a substitute for the financial statement.”</p> <p>An audit or review report prepared by an independent Certified Public Accountant is <u>not required</u>.</p>

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8	If you have an architect licensed outside of California, would that person be excluded from these projects?	Page 3, 2.3	A valid California Architects License is required under law for the performance of the work, the Consultant must ensure that the work will be performed either by an appropriately licensed individual or under the direct supervision of an appropriately licenced individual.
9	Separate proposals for each region?	Page 6, 4.4.1	No. See answer to Questions # 5.
11	Do subconsultants fill out any of the forms?		No. The RFP is directed to architectural consultants. See Judicial Council's Form of Standard Agreement (Attachment E), Exhibit A, Article 25, Subcontracting, describes the process for identifying sub-consultant(s) as part of a service work order.
12	USB drive with editable docs?	Page 6, 4.4	Yes.
13	Are divider tabs and proposal covers counted in the page count?	Page 6, 4.4	No.
14	Tabbed Sections – Do we need to start our section as 4.4.1, or can we use Section 1 – Cover letter, and so on?	Page 6, 4.4	See RFP Section 4.4 stating that, “proposals shall be tabbed according to the numbering system referenced below.”

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16	Per Pre-Conference Phone Meeting, it was indicated that Sub-Consultant teams are not required in response to this RFP. Please Confirm.	Pre-Conference Phone Call	See response to question # 4.
17	Regarding Attachment C- Hourly Rates: If an Architect is the Prime submitting for this RFP, and assuming no Sub-consultant team in required for this RFP, please confirm that only the top seven lines of Attachment C (related to Architectural Services) needs to be completed and N/A indicated for all other services.	RFP#: FS-2017-01-BD Attachment C- Hourly Rates, Page C-1, rows 1-7 of table	No. This is incorrect. All lines of Attachment C need to be completed. You will note that these hours are incorporated into the Judicial Council’s Form of Standard Agreement (Attachment E), Exhibit D, Service Types and Hourly Rates. The Service Work Order Process is identified in Article 3 of the Service Work Order Authorization Process (Exhibit C). One of the pricing methodologies identified in Exhibit C, Article 3.2.2, is the Time and Materials Based Pricing in which the rates would apply. You can put “N/A” for the sub-consultants but then you would be excluded from any service work order issued on a time and materials basis that required sub-consultants as no cost would be identified in the contract.

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18	<p>Regarding Attachment C- Hourly Rates: Item #1 of the Instructions for Attachment C- Hourly Rates states: 1. Check the box to denote whether services are to be performed in-house, by a sub-consultant, or both. This information is for reference only and will not affect scoring.</p> <p>Does the text "will not affect scoring" refer to checking the box for "in-house" vs. "subconsultant"-- or--does it refer to the Hourly Rates indicated in the Table?</p>	<p>RFP#: FS-2017-01-BD Attachment C- Hourly Rates, Page C-1, Paragraph 1 of "Instructions".</p>	<p>Whether your services are performed in house or by a sub-consultant "will not affect scoring." The hourly rates provided for each Job Title will be the only factor scored.</p>
19	<p>Regarding Attachment C- Hourly Rates: Item #6 of the table for Hourly Rates, states: 40 points out of 100, will be given for Hourly Rates, yet in the Pre-Conference it was indicated that most bids are provided as a "lump sum". Please clarify or confirm.</p>	<p>RFP#: FS-2017-01-BD RFP -Section 6.1 (Evaluation of Proposals) and Item 6 of related table.</p>	<p>The pricing can be either lump sum or time and material. Even the lump sum proposals will have to detailed based on the Hourly Rates and hence the Hourly rates will be used for evaluation. The Judicial Council Project Manager will inform the consultant of the appropriate Pricing methodology to be used in Service Work Orders.</p>

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20	Regarding Attachment C - Hourly Rates: Attachment C requests hourly rates for the "initial term" of the contract. Please verify that the rates for the "initial term" will be one hourly rate for all three (3) years. It is assumed that this infers no escalation of hourly rate per year. Is that correct?	RFP#: FS-2017-01-BD Attachment C- Hourly Rates, Page C-1, Paragraph 2 of "Instructions". See Page 14, section 8.2, sentence two.(Explanation of "initial term")	Yes, all hourly rates indicated in the Judicial Council’s Form of Standard Agreement shall remain firm and not subject to change throughout the initial three (3) year term of the Agreement, with the exception of allowed CPI increases during an authorized subsequent two (2) year term. See Exhibit D, Article 2.2 of the Judicial Council’s Form of Standard Agreement (Attachment E)
21	Are specialty consultants (i.e. acoustical, lighting, graphics, etc.) required to respond to the RFP or are they assumed to be part of a larger architectural or engineering team?	RFP Section 3.2	Specialty consultants are not required to respond to this RFP.
22	In Section 4.4, the second paragraph states that the proposer needs to include, “one (1) compact disk or USB flash drive containing all documentation required below in both Adobe PDF format and editable formats.” If the PDF is editable, do we still need to submit another format as well?	Request for Proposals (RFP) for ID/IQ Architectural & Engineering Consulting Services, Page 6, Section 4.4, Second Paragraph	See response to question # 12. Documentation required shall be submit in either PDF format or another format, but does not need to be submit in both formats.

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23	Interviews are scheduled for 3/22 tentatively. Will the interviews be conducted in the regions for which we are submitting?	Page 13; Section 7.6.1	Judicial Council will advise on the location of the interview for shortlisted candidates.
24	The hourly rate sheet has all roles. Only architectural roles are required, correct?	Attachment C	See response to question #17.
25	Can we submit the email with intent to respond to RFP after the clarifications are posted on 3/8?	Page 6; Section 4.2	Yes. The email with intent to respond to the RFP may be submit after questions are posted on 3/8.
26	How do the outlined sections of the proposal line up with the selection criteria? For instance will sections 4.4.4 and 4.4.7 be used to determine "Criteria 1. Project Team Expertise?"	6.1 (pg 11)	All of the information in the RFP, Section 4.4 shall be included in a Consultants proposal. The evaluation will consider all of the information provided and scoring will be based on Article 6.0, Evaluation of Proposals.

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27	<p>Since the project scopes have not yet been determined and therefore the make-up of the design professional team is not determined, do you want the proposal to include:</p> <p>Only detailed information and hourly rates for the architect?</p> <p>General Information on the likely sub-consultants to be used along with their hourly rates?</p> <p>Only detailed information for the architect and maximum hourly rates for all roles listed in Attachment C?</p> <p>A combination of a and b?</p> <p>Something else?</p>	<p>4.4.4 (pg 7)</p> <p>4.4.7 (pg 8)</p> <p>4.4.10 (pg 8)</p> <p>4.4.11 (pg 9)</p> <p>4.4.12 (pg 9)</p>	<p>See answer to question # 17</p>
28	<p>Attachment C Hourly Rates: If rates for sub-consultants are to be included and attachment C is not to be altered, how do we enter a rate for a role not listed? For example "Contractor performing investigative or destructive testing?"</p>	<p>4.4.12 (pg 9)</p>	<p>See Attachment E, Judicial Council's Form of Standard Agreement, Exhibit D, Article 2.4 Hourly Rates Based Services – Addition of New Job Titles and Article 2.5 – Addition of New Service Types or Job Titles. The addition of any new job title(s) and/or service(s) that are not currently included in Attachment C, Hourly Rates can be added only after an Agreement is executed, and only through an Amendment to that Agreement.</p>

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29	During the conference call, it was noted that the rates should be sealed in a separate envelope. Section 4.4.12 discusses providing hourly rates for all services utilizing attachment C, but does not discuss sealing them. Are they to be sealed in a separate envelope?	4.4.12 (pg 9)	Please include Attachment C – Hourly Rates in a sealed envelope, separate from Consultant’s Technical Proposal. In addition, save Attachment C – Hourly Rates in an Adobe PDF format, separate from the PDF file with Consultant’s Technical Proposal.
30	Attachments G, H, J and K are not listed within the sections 4.4.1-4.4.19. Where should they be included in the proposal?	4.4 (pg 6)	See response to question #1.
31	Can JCC staff be used as one or more of the references?	Page 8 Section 4.4.9 Reference Checks	Yes.
32	Is the intent that full teams are submitted, or should firms submit as individual AE’s?	Page 4 Section 3.1 Consultant Services	See answer to question #4
33	Evaluation of Proposals section indicates that hourly rates are worth 40 of 100 points, however Attachment C indicates that hourly rates will not affect scoring. Please clarify how rates will be evaluated.	Page 11, 6.1 and Attachment C	Attachment C – Hourly Rates notes that Consultant shall, “Check the box to denote whether services are to be performed in-house, by a sub-consultant, or both. <u>This information is for reference only</u> and will not affect scoring.” Hourly Rates will be evaluated based on value.

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34	Please clarify if hourly rates should be included in the proposal or in a separate document.	Page 9, 4.4.12	Attachment C, Hourly Rates should be included as noted in Article 4.4.12 of the RFP. Please submit Attachment C in a sealed envelope, separate from Consultant's Technical Proposal. See response to question # 29.
35	If a company is submitting a proposal to provide architectural and engineering services in each of the three Judicial Council regions, does that company need to submit three separate proposals?		See response to question #5.
36	Can a company submit a proposal as a Prime Consultant and also be listed as a sub-consultant on a proposal submitted by another company?		Yes, as long as there is no Follow On Contracting. See Article 2.7 of the RFP for additional detail on Follow on Contracting.
37	Are the Table of Contents and Tabs excluded from the 40 page limit?	RFP, Page 5, Item 4.4	Yes, see response to #13.
38	What are you looking for with regard to a written and certified document identifying whether or not the Prime Proposer organization is listed on the delinquent tax payer lists. Would a notarized letter fulfil this requirement?	RFP Section 4.4.6 (Page 7)	Provide a letter signed by the Consultant stating that it is not on the California Franchise Tax Board's "Top 500 Delinquent Taxpayers" and/or California State Board of Equalization's "Top 500 Sales & Use Tax Delinquencies in California." See RFP Section 4.4.6.

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39	What constitutes a “certification of correctness” of Consultant’s statement of financial resources and insurance coverage? Is it sufficient to supply a sample certificate?	RFP Section 4.4.10.3 (Page 9)	See response to question # 7.
40	May we please confirm that the Architect is not required to list or provide qualifications for sub-consulting firms?	Based on Pre-proposal Telephone call discussion of RFP section 4.4.7 Proposed Personnel/Project team	See response to question # 4.
41	May we include the requested financial statement in a sealed envelope, and may we be assured of the confidentiality of this information?	RFP Section 4.4.4 Qualifications Questionnaire, Attachment D: Consultant Information	All information submitted as part of a Consultant’s proposal may be subject to a Public Records Request in accordance with Attachment A – Administrative Rules Governing this RFP, Article C, Questions; Requests for Access to Public Records; Confidentiality.
42	May we omit, from our submittal, the section related to DVBE Certification, if we do not intend to seek the Incentive?	RFP Section 4.4.15	Yes, see Article 9 of the RFP.

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43	May we omit, from our submittal, the section related to Conflicts of Interest, if it is not applicable?	RFP Section 4.4.18	The submission of a statement is only applicable if the Consultant foresees a potential Conflict of Interest. By signing Attachment F – General Certifications Form the Consultant certifies that they have no interest that would constitute a Conflict of Interest. Please include Attachment F, signed with box checked.
44	Will the Judicial Council permit the Consultant to list a per claim limit for Product Liability & Completed Operations, rather than per occurrence, with the intention to revisit this matter if selected?	RFP Section 4.4.4 Qualifications Questionnaire, Attachment D: Consultant’s Insurance Information	You may submit your existing coverage for the purpose of submitting a proposal under this RFP; however, if awarded an Agreement under this RFP the Judicial Council will require the insurance coverage included in Attachment E, Judicial Form of Standard Agreement, Exhibit B, Article 1.0, Insurance is in place prior to Contract execution.
45	Can the Judicial Council please clarify their request that consultant list “Number of years Consultant has done business in California under contractor’s license law?”	RFP Section 4.4.4 Qualifications Questionnaire, Attachment D: Consultant Information	Attachment D, Qualifications Questionnaire, Consultant Information should state, “Number of years Consultant has done business in California under contractor’s license”.
46	Will a blank side of a page count as one of the 40 single sided page limit?	4.4 Proposal format	No.

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47	Does a tab divider count as a page?	4.4 Proposal format	No. See question #13.
48	Can tabbed sections be grouped together, as long as they are kept in sequence?	4.4 Proposal format	No. RFP, Article 4.4, Proposal Format states that proposal shall be “tabbed according to the numbering system reflected below.”
49	What is acceptable as a certified document?	4.4.6 Delinquent Taxpayer Status	See response to question # 38.
50	Are the 10 most recent projects for the individual, or for the firm?	4.4.7.1 Proposed Personnel/Project Team	See Article 4.4.7.1 of RFP. The 10 most recent projects for each key personnel listed shall be indicated.
51	Is the organizational chart for the personnel assigned to this team, or for all the personnel in the firm? Should recommended sub-consultant disciplines be included?	4.4.7.1 Proposed Personnel/Project Team	The organizational chart shall only identify key personnel that would be involved in working on Judicial Council projects. It should also note their positions within the organization.
52	Is this redundant with 4.4.7.1? If not, please explain the difference.	4.4.7.2 Proposed Personnel/Project Team	4.4.7.2 requests resumes for each key personnel, please include these as well.
53	What is acceptable as a certification of correctness?	4.4.10.4 Consultant Information	See response to question # 7.
54	Our team is comprised of architects only. Do we need to provide estimated hourly rates for the sub-consultants listed?	Attachment C Hourly Rates	See response to question # 17

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55	Is this to be filled out and submitted now? If so, does it count in the 40 pages?	Attachment E Standard agreement	If you have no exceptions to the Standard Agreement then you do not need to submit the Standard Agreement with your proposal. See RFP Article 4.4.14, Acceptance of Terms and Conditions (Attachment F). Consultant must check the appropriate box and sign the form. If the consultant marks the second box, it must provide the required additional materials, including the submission of a (i) redlined version of the Standard Agreement that implements all proposed changes, and (ii) a written explanation and rationale for each exception and/or proposed change explaining why the change is requested. If submitted, the redlined Agreement will not count in the 40 page proposal limitation.

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56	In Section 4.4.7 – Proposed Personnel/Project Team – is it acceptable to include all of the information requested in section 4.4.7.1 (except the org chart) on the resumes requested in 4.4.7.2? In other words, can we essentially provide all of the information in section 4.4.7 by way of a collection of resumes, and an org chart, provided that all the of the requested information is present?		If you believe your response to Section 4.4.7.1 also adequately responds to Section 4.4.7.2, then respond to 4.4.7.2 by referencing your response to Section 4.4.7.1 and add any additional information you believe is necessary.
57	In the RFP it asks for financial resources and to include a certification of correctness. Do we need to submit an audited financial statement or can an officer of the firm just provide the certification of correctness?	Page 9, 4.4.10.4	See response to question # 7.
58	Will the financial statements and/or certification of correctness be counted as part of the page count?	Page 9, 4.4.10.4	No.
59	Is it possible to provide our statements under one tab on one page to save space? Specifically, on page 10, to combine the statements on one page for 4.4.15 through 4.4.19?	Page 10	Responses to Sections 4.4.15 – 4.4.19 may be on one page, but the Sections require separate responses. Do not combine your answers in one combined response.

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60	<p>Question: Is the Judicial Council of California exempt from Government Code sections 4525? The selection process outline in your Request for Proposals and described in the pre-proposal teleconference does not appear to comply with California state law. The Government Code requires state agencies to select no less three of the professional firms “deemed to be the most highly qualified to provide the services required.” It is only after selection, that the state agency may begin negotiating with the selected professional firms to determine the “compensation which the state agency head determines is fair and reasonable,” and if unable to negotiate a contract at a price determined to be fair and reasonable, the state agency may then undertake negotiations with the second most qualified professional firm, and so on down the line. Thus, for state agencies, while price is a consideration, it is only a consideration during contract negotiations not bid submissions.</p>	<p>6. Evaluation of Proposals; Section 6.1, page 12 requires firms to submit hourly rates, and these rates constitute 40% of the rating points that may be assigned to any one firm.</p>	<p>The Judicial Council of California is not a state agency for purposes of Government Code section 4525 et seq. and therefore not subject to the provisions of Government Code section 4525 et seq. applicable to state agencies.</p>

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61	Should respondents submit the qualifications of the Prime Architectural Firm only, or do you wish to review qualifications of the engineering and design subconsultants?	Attachment C calls on respondents to provide rates for “Engineer”, “Planner” and “Landscape Architect”	You may provide qualifications of the engineering and design subconsultants for our review. This would be taken into consideration in Attachment C. See response to question # 7 for additional information.
62	Are Fire Protection Engineering services, including smoke control system design and commissioning efforts, included in the scope of this agreement?	RFP section 3.2, page 5	Yes, if such work would be done under and Architectural license.
63	Are there any alternative to the submission of a 2-year financial statement?	Attachment D, page 1	No.
64	Are any mark-ups on Travel and Living Expenses acceptable?	Attachment E, Exhibit A, page A-4, section 1.1.42	See response to question # 55.
65	Do the hours of work and associated excess hours compensation requirements apply to professional services firms such as architects and engineers?	Attachment E, Exhibit A, page A-20, section 38.12.7	Determination of the applicability of Prevailing Wage Laws is the responsibility of the consultant.
66	Must all travel such as airfare be reserved 14 days in advance of actual travel? (Related Q: Will the period of performance be adjusted to accommodate the 14 day travel waiting period?)	Attachment E, Exhibit C, page C-6, section 5.1	See response to question # 55.

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67	Professional services firms charge for time expended on the behalf of their clients. Can the non-payment of project-related travel time provisions be deleted?	Attachment E, Exhibit C, page C-6, section 5.1	See response to question # 55.