



Request for Proposals

Pre-Qualification of General Contractors for Facility Modification and Tenant Improvement Projects

The Administrative Office of the Courts, Judicial and Court Operations Services Division, Judicial Branch Capital Program Office seeks to identify general contractors qualified to provide construction services for facility modification and tenant improvement projects.



ADMINISTRATIVE OFFICE
OF THE COURTS

JUDICIAL AND COURT OPERATIONS
SERVICES DIVISION

JUDICIAL BRANCH CAPITAL PROGRAM OFFICE



Judicial Council of California
ADMINISTRATIVE OFFICE OF THE COURTS

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REQUEST FOR PROPOSALS

Date
October 24, 2013
To
General Contracting Firms

From
Administrative Office of the Courts
Judicial Branch Capital Program Office

RFP Title:
Pre-Qualification of General Contractors
For Facility Modification & Tenant Improvements
Solicitation Number: JBCP-2013-04-BR

Send submittals To:
Administrative Office of the Courts
Judicial and Court Operations Division
Judicial Branch Capital Program Office
Attn: Ms. Donna Ignacio
2860 Gateway Oaks Drive, Suite 400
Sacramento, CA 95833(*indicate RFP number
and project name on lower left corner of
envelopes*)

Contact:
CapitalProgramsSolicitations@jud.ca.gov

Schedule of Events

No.	Events	Dates (Calif. Time)
1	Pre-Proposal Review Teleconference. Telephone Participants Dial: 1-866-537-1632, Participant Code: 7828925	11:00 AM- November 7, 2013
2	Deadline for submittal of Proposer's requests for clarifications, modifications or questions regarding the RFP and non-binding email of intent to respond	November 18, 2013 by 5:00 p.m.
3	Modifications and/or answers to questions posted on the Court website: http://www.courts.ca.gov/rfps.htm	November 25, 2013
4	<u>Submittal Deadline for Proposal</u>	<u>December 9, 2013 by 2:00 p.m.</u>
5	Posting of Short Listed Contractors (Estimated)	December 13, 2013
6	Interviews of Short Listed Contractors (Estimated) (in San Francisco, Burbank, and Sacramento)	December 16-20, 2013
7	Notice of Intent to Award (Estimated)	January 3, 2014

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1.0 INTRODUCTION

This Request for Qualifications (RFQ) is the means for prospective General Contractors to submit their qualifications to the AOC for the services described in this document. The RFQ and all associated documents and addenda are available in electronic form at <http://www.courts.ca.gov>.

The Judicial Council of California, chaired by the Chief Justice of California, is the primary policy making body of the California judicial system. The Administrative Office of the Courts (AOC) is the staff agency of the Judicial Council. The Judicial Branch Capital Program Office (JBCPO) is the division of the AOC responsible for the planning, design, construction, real estate and asset management of facilities for the Superior and Appellate Courts of California.

2.0 PURPOSE OF THIS RFP

The JBCPO seeks the services of qualified general contractors with expertise in all phases of construction as required to perform a variety of facility modification projects and other construction projects in court facilities, usually in the \$50,000 to \$2,500,000.00 range. The general contractors will be evaluated and selected to provide services in one or more of the three regions of the Administrative Office of the Courts (Bay Area/North Coastal, Northern/Central, and Southern regions). A map of the three regions is included in this RFP as Attachment A. Contractors should indicate, in their cover letter, the region(s) for which they wish to be considered.

- 2.1 Zone 1 – BANCRO – Bay Area/Northern Coastal Regional Office
- 2.2 Zone 2 - NCRO – Northern/Central Regional Office
- 2.3 Zone 3 – SRO – Southern Regional Office

General contractors (GCs) will be selected to enter into Indefinite Delivery/Indefinite Quantity (“ID/IQ”) contracts with the AOC for construction services on “facility modifications”. GCs may be awarded various projects and tasks as may arise, based on the location and nature of the services required and the qualifications and resources of the GCs and often in competition with other GCs who

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have also entered into ID/IQ contracts. Because the scope and number of projects and tasks are unknown at the time of contract execution, the contracts are known as ID/IQ contracts. Approximately 50-75 facility modification projects are anticipated and scheduled to begin construction per year. Additionally these ID/IQ contracts will be utilized for some new and remodel courtroom projects to provide space for new judgeships. The term of these ID/IQ contracts in support of the projects will be two (2) years with three, one (1) year option terms, with the potential of extending through 01/30/2019. Once a project specific contract has been awarded, the contract will continue until the project has been completed, regardless of project duration.

3.0 SCOPE OF SERVICES

The scope of services required by this RFQ/P includes some or all of the following services:

3.1 Services:

Contractor to provide general construction services on various court facility projects in California on an as-needed basis. These projects involve renovation projects, program-wide projects, and infrastructure projects. Work will include a variety of construction related activities including new construction, modifications, renovation, and repairs at numerous court facility locations throughout California including but is not limited to: general and specialized construction activities (ex. demolition, mechanical, electrical, plumbing, HVAC, security/fire systems, roofing, tile, cabinetry and workstation modifications or other incidental related work as directed by AOC project manager. It is anticipated that some projects may require some limited design and/or preparation of construction documents necessary for a turn-key operation based on job walks conducted by the AOC project manager and for the purposes of obtaining permits. It is intended that the provider will deliver a total and complete construction project as requested. Contractor agrees to provide all necessary expertise and services to professionally and diligently prosecute the work authorized by Task Orders to be issued by the AOC. Contractor must be licensed as a general contractor in the State of California in order to provide the services. A Statement of Work will be provided with each Task Order; the contract terms and conditions: and the specifications, drawings, and special conditions will be provided with the Task Order, when applicable.

It is intended that for most projects: The AOC Project Manager will notify three general contractors with a basic description of the job, including time and place to meet. Contractors will meet with the AOC project manager at the site and the project manager will identify what work/services need to be provided while walking the site. Depending on the job, the project manager will also provide any appropriate drawings, specs, security clearance and permitting information. Contractors will then develop and submit proposals based upon information received at the job walk. Contractors will estimate quantities and what construction tasks are necessary, develops a schedule to perform the work and submits a list of subcontractors who will be hired for the project. The selected proposal will be the proposal that is the most acceptable to the AOC, and general contractor will be issued a task order. Once the task order has been executed, a notice to proceed will be issued to the general contractor.

4.0 RESPONDING TO THIS REQUEST FOR PROPOSAL

The AOC has developed the Schedule of Events (see page 2) with dates showing the key events in this solicitation process. The RFP and schedule are subject to change, and the AOC does not send notifications of changes to this RFP or the schedule to prospective Proposers and is not responsible for failure of any Proposer to receive notification of any change in a timely manner. Proposers are advised to visit the AOC website (<http://www.courts.ca.gov>) frequently to check for changes and updates to the

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RFP, including the Schedule. Prospective Proposers must take the following actions according to the specified timelines in order to participate in this process.

4.1 Optional: Attend/Participate by Phone in the Pre-Proposal Conference

The AOC will provide an overview of the Project, introduce key AOC personnel, and answer questions. Although questions will be responded to verbally, the official and binding response will be the written response posted to the AOC website.

4.2 Optional: Intent to Respond

Contractors who intend to respond to this RFP are requested to notify the JBCPO by sending an email to "CapitalProgramsSolicitations@jud.ca.gov" with the RFP number and name in the subject line. Please include the name, address, telephone, and e-mail address of the Contractor (firm) and contact person.

4.3 Preparing Statement of Qualifications

Responsive Proposals should provide straightforward, concise information that satisfies the requirements specified. Expensive bindings, color displays, and the like are not necessary. Emphasis should be placed on brevity, conformity to instructions, specified requirements of this RFP, and clarity of content.

Contractor's Statement of Qualifications (SOQ) should clearly and accurately demonstrate the specialized knowledge and experience required for services under consideration. SOQ shall be prepared in a bound 8.5" x 11" booklet format, using tabs to divide sections of the Application for Pre-Qualification of General Contractors. Attachments, except as noted, will not be accepted. In a sealed envelope (clearly marked: "GC Submittal, RFP Number"), submit your Proposal to the address shown on page 2 of this RFP.

Submit the following:

- a) two (2) copies in paper form of the SOQ, which consists of a cover letter
- b) Application form for Prequalification of General Contractors
- c) one (1) compact disk containing the complete SOQ
- d) one (1) original of the Payee Data Record Form completed in the exact legal name of the Proposer's business signed by an authorized representative of the Proposer (Do Not bind Payee Data Record form into the SOQ booklet.)

In your SOQ please provide:

- 4.3.1 **Cover letter.** A cover letter, signed by an authorized representative of the prospective Contractor, shall include the name, address, telephone, fax number, e-mail address, and federal tax identification number of the proposing Contractor. (one page maximum).
- 4.3.2 **County by County Service Listing Grouped by Three (3) Zones— Attachment 1.** Indicate (yes or no) as to your ability to service projects by within that county. An inability to service a county will not impact the score of an applicant.

4.3.3 Application form for Prequalification of General Contractors:

Complete Application form in full, per specific instructions included therein.

Section 1 : Part A – General Information
Part B – Data Required
Part C - Questions

Section 2: Parts I through VI. The prospective Contractor shall describe its specific responses to the selection criteria, numbered and titled as listed in section 6.0. Responses should provide specific information regarding experience, expertise of the key personnel, description of continuous quality improvement process, and capacity to deliver high quality General Contractor construction services for projects located within the Zones counties identified on Attachment 1, and any other relevant selection criteria information not provided elsewhere the Application form.

4.3.4. Overhead & Profit percentage fee rates. In one sealed envelope: Four (4) complete copies of Attachment C. Provide rates for OH &P % for project costs in the given cost ranges with the understanding that the items noted as General Conditions are not part of said fee.

4.4 Submitting Your Proposal

Statements of Qualifications shall be provided, in written form, not later than the time and date indicated in the Schedule of Events on page 2 of the most current version of this RFP. Proposals are not to be submitted as e-mails. Proposals may be sent by US mail service certified mail, or overnight delivery carrier, or may be delivered in person. The Proposer assumes all risk of loss regarding any delivery method it chooses to use, and the AOC shall not be held responsible for any failure of any delivery service/method. The Proposer is solely responsible for ensuring delivery no later than the date and time specified. The AOC will return unopened, any proposal received after the time specified in the most current RFP schedule.

Please note that DVBE documentation is not submitted with the Proposal, but is to be submitted only if the Contractor is selected for services (see Section 9.0).

5.0 SELECTION PROCESS

- 5.1. An evaluation panel composed of predominantly JBCPO staff will review and score the Proposals, based on the selection criteria, and establish a shortlist.
- 5.2. AOC JBCPO will post the short-list on the courts' website; firms on the short-list will be notified of their interview time and place. Interviews will be held at the AOC offices in San Francisco, Burbank, and Sacramento.
- 5.3. At any time, JBCPO may contact previous Clients and Owners to verify the experience and performance of the prospective Contractor, their key personnel, and their sub-consultants.
- 5.4. After the interviews the firms will be ranked based on the selection criteria and the highest-scoring firms will be contacted regarding contract execution. The selected firms will be posted on the courts' website.

6.0 EVALUATION OF PROPOSALS

The AOC JBCPO will evaluate Proposals using the following criteria:

Points	Criteria	100 points maximum
25	<p><u>Experience of the Firm:</u></p> <p>Demonstrated experience of the firm in relation to the scope of potential work, and quality of service provided to customers in the past;</p>	
25	<p><u>Expertise of Personnel:</u></p> <p>Demonstrated expertise of the key personnel in relation to the scope of potential work; including relative degrees, licenses and certifications;</p>	
20	<p><u>Project Experience:</u></p> <p>Demonstrated record that the Contractor has delivered high quality services on projects of similar scope on budget and with a good history as far as change orders, claims and safety records;</p>	
20	<p><u>Availability of resources:</u></p> <p>Ability of the GC to provide staff and resources necessary to deliver facility modifications, management oversight and administrative support on projects located within the counties identified in Attachment 1.</p>	
10	<p><u>Overhead and Profit rates .</u></p> <p>Proposed fee rates for corporate overhead and profit, per completed Attachment C, proposal sheet which Contractor will use for cost proposals submitted for projects authorized through Task Orders.</p>	

7.0 PROPOSED CONTRACT TERMS

- 7.1 Contracts with successful Contractors will be signed by the parties on a standard AOC agreement form. A sample AOC Standard Agreement is included as Exhibit B to this RFP.
- 7.2 The AOC reserves the right to modify or update the terms and conditions of the Standard Agreement in the interest of the AOC, in whole or in part at any time up to the negotiation of the agreement with the Contractor. By submitting for this RFP, the prospective Contractor will; a) provide the services required in the contract, and b) has no objection to the terms and conditions of the Standard Agreement.
- 7.3 If a satisfactory contractual agreement on services and compensation cannot be reached between the AOC and a selected general contractor within 30 calendar days of notification of selection, the AOC reserves the right to terminate negotiations with that Contractor and attempt to reach satisfactory contractual agreement with another qualified Contractor.
- 7.4 The general contractors selected under this RFP will not be precluded from consideration nor given special status in any future RFPs issued by the AOC.

- 7.5 The AOC cannot guarantee the amount or duration of the work.
- 7.6 Provision of the Work: Work shall be provided in accordance with Task Orders to be issued by the AOC under the Agreement resulting from this procurement, and shall be subject to the provisions of the Agreement accompanying this RFP, including any additional provisions specified in the Task Orders with regard to schedule, key personnel, and subcontractors.
- 7.7 Compensation: The method of compensation will vary on a Task Order by Task Order basis, and compensation may be based on a Time and Materials Not to Exceed or Fixed Price basis, and will be subject to all of the provisions of Exhibit C of the Agreement.

8.0 DISABLED VETERAN BUSINESS ENTERPRISE PARTICIPATION GOALS

The AOC requires contract participation goals of a minimum of three percent (3%) for disabled veteran business enterprises (DVBEs). Each selected Contractor under this RFP will be required to comply with a participation goal of a minimum of three percent (3%) of DVBEs for their respective contract, and when requested by the AOC, a selected Contractor shall demonstrate DVBE compliance and complete a DVBE Compliance Form. Information about DVBE resources can be found on the Executive Branch's website at <http://www.dgs.ca.gov/pd/Programs/OSDS/legislation.aspx> or by calling the Office of Small Business and DVBE Certification at 916-375-4940.

9.0 ADMINISTRATIVE RULES GOVERNING REQUESTS FOR PROPOSALS

A. General

- 1. This solicitation (the "RFP") (including, without limitation, any modification made thereto in the course of the solicitation), the evaluation of materials to be submitted in response to this solicitation (the "Proposal(s)"), the award of any contract, and any issues to be raised with regards to this solicitation or to these Administrative Rules Governing Requests for Proposals themselves (the "Administrative Rules") shall be governed by these Administrative Rules. By the act of submission of a Proposal, prospective Service Providers agree to be bound by these Administrative Rules. If a prospective Service Provider has objections to the Administrative Rules, they must be dealt with in accordance with the provisions of Section B.
- 2. In addition to explaining the Administrative Office of the Courts' (AOC's) requirements and needs for goods and/or services, the RFP includes instructions which prescribe the format, content, and the date and time due of Proposals that are being solicited. Prospective Service Providers must adhere to all instructions provided in the RFP when submitting Proposals.

B. Errors in the RFP or Administrative Rules

- 1. If a prospective Service Provider who desires to submit a Proposal discovers any ambiguity, conflict, discrepancy, omission, or other error in the RFP; is of the opinion that the structure of the RFP does not provide a correct or optimal methodology for the solicitation of the goods and/or services sought; believes that one or more of the RFP's requirements is onerous or unfair; believes that the RFP unnecessarily precludes less costly or alternative solutions; or has objections to these Administrative Rules, the prospective Service Provider must, at least 2 full AOC business days before the due

date of the Proposals, provide the AOC with written notice of the same. The written notice shall be accompanied by a written explanation of why the prospective Service Provider is of the opinion that the RFP or the Administrative Rules should be changed, as well as a written description of the modification sought. Said written notice must be in the form of an e-mail submitted to the e-mail address established for the submission of questions in the RFP. Failure to provide the AOC with such written notice as specified above on or before the time specified above forfeits the prospective Service Provider's right to raise such issues later in the solicitation process.

2. Without disclosing the source of the request, the AOC will evaluate the request and will, prior to the date established for submission of the Proposals, at its sole discretion determine if it chooses to modify the RFP. Any modification is made it will be published by the AOC to the AOC's website advertising the solicitation.
3. If a prospective Service Provider submitting a Proposal knows of (or if it can be reasonably demonstrated should have known of) an error in the RFP but fails to notify the AOC of the error as prescribed above, the prospective Service Provider is submitting a Proposal at its own risk, and, if awarded the work, shall not be entitled to additional compensation or time for performance by reason of such error later identified, or by reason of its later correction by the AOC.

C. Questions and Confidentiality

1. Prospective Service Providers are entitled to ask questions about the RFP and the nature of the goods and/or services being solicited in accordance with the procedure for the submission of such questions specified in the RFP. Except as otherwise specified below, the AOC's responses to questions submitted shall be published to the public website for the procurement.
2. Any material that a prospective Service Provider considers to be confidential but that does not meet the disclosure exemption requirements of the California Public Records Act may in fact be made available to the public as a public record, and prospective Service Providers are hereby advised not to include such information in their Proposals.
3. If a prospective Service Provider's question or a reasonably expected AOC response would reveal information that the prospective Service Provider considers to be proprietary, the prospective Service Provider should submit the question in writing, conspicuously marking it as "CONFIDENTIAL". Accompanying the question, the prospective Service Provider must submit a written statement explaining how the publishing of said question or the reasonably expected AOC response would damage the prospective Service Provider. If the AOC concurs that the disclosure of the question or the AOC's response would expose proprietary information, the question will be answered, but only to that prospective Service Provider, and both the question and answer will otherwise be kept in confidence. If the AOC does not concur that such information or its response would reveal information of a proprietary nature, the question will not be answered and the prospective Service Provider will be notified.

D. Addenda

1. In response to questions raised, or at its sole discretion, the AOC may modify the RFP website posting or any of any document(s) provided therein at any time prior to

the date and time fixed for submission of Proposals. Such modification shall be made via a posting of such change(s) to the AOC's website.

E. Withdrawal and Resubmission of Proposals

1. A prospective Service Provider may withdraw its Proposal, but only in its entirety, at any time prior to the deadline for submitting Proposals by notifying the AOC in writing of its withdrawal. Any such notice of withdrawal must bear the signature of an individual and assert that that individual has the requisite authority from their organization to make such a withdrawal. Withdrawals must be made in writing, and must be submitted as a PDF document by e-mail to the e-mail address established for the submission of questions in the RFP document.
2. A prospective Service Provider who has withdrawn a Proposal may thereafter submit a new Proposal, provided that it is received at the AOC no later than the Proposal due date and time specified in the RFP.
3. Withdrawals made in any other manner, regardless of whether oral or written, will not be considered, and, if received, will not be accepted as valid.
4. Proposals cannot be withdrawn after the Proposal due date and time specified in the RFP.

F. Evaluation Process

1. In accordance with the provisions of the RFP, an evaluation will be made of all Proposals rightfully received, to determine if they are complete with regard to the materials required for submission by the RFP and to determine if they otherwise comply with the requirements established in the RFP.
2. If a Proposal submitted is incomplete with regards to the materials required for submission or fails to meet any other material requirement of the RFP, the Proposal will be rejected. A requirement will be judged to be material to the extent that it is not responsive to or is not in substantial accord with requirements of the RFP. Material deviations cannot be waived.
3. The AOC, at its sole discretion shall have the right to waive immaterial deviations of Proposals with regards to the materials submitted as well as other immaterial deviations from the requirements of the RFP.
4. The AOC's waiver of an immaterial deviation for one prospective Service Provider shall in no way act to excuse that prospective Service Provider from material compliance with any other RFP requirement. The AOC's waiver of an immaterial deviation for one prospective Service Provider shall in no way act to excuse other prospective Service Provider(s) from material compliance with that same requirement.

5. Proposals that make false or misleading statements or contain false or misleading information may be rejected, if, in the AOC's sole opinion, the AOC concludes that said statements and/or information were intended to mislead the AOC.
6. During the evaluation of the Proposal's, the AOC has the right to require a prospective Service Provider's representatives to answer questions with regard to the Proposal submitted. Failure of a prospective Service Provider to demonstrate that the claims made in its Proposal are in fact true may be sufficient cause for deeming a Proposal to be materially in non-compliance with the requirements of the RFP.

G. Proposals: Rejection, Negotiation, Selection Rights

1. In accordance with the provisions of the RFP, the AOC may reject any or all Proposals.
2. The AOC reserves the right to negotiate the content of the Proposal proposed with individual prospective Service Providers if it is deemed in the AOC's best interest.
3. The AOC reserves the right to make no selection if Proposals are deemed to be outside the fiscal constraints of, or against the best interest of, the State of California.

H. Award of Contract

1. Award of contract, if made, will be in accordance with the provisions of the RFP except to the degree that any immaterial deviation(s) have been waived by the AOC.
2. The actual execution of contracts is subject to availability of the funds necessary to pay for the good and services by the State of California through its budgeting and appropriations methods. The AOC makes no guarantee of funding through its solicitation for goods and/or services via an RFP.

I. Execution of contracts

1. The AOC will make a reasonable effort to execute a contract for the goods and/or services solicited in the RFP within the time specified in the RFP, or, if no time has been specified in the RFP, thirty (30) calendar days following the date of publication of award. Exceptions to the contract documents posted with the RFP that are raised by a prospective Service Provider may delay the execution of contracts. If the negotiation of exceptions raised results in a delay of the planned time of execution past the time period allowed for as specified above (unless otherwise extended in writing by the AOC), the AOC, at its sole discretion, shall have the right disqualify the award made.
2. By submitting a Proposal, a prospective Service Provider consents to the use of the form of contract posted with the RFP rather than its own contract form. Questions about and major exceptions to the contract form should be submitted as questions in accordance with the provisions for the raising and answering of questions as given in the RFP, and not following notification of an award. The AOC will make reasonable attempts to answer such questions, however, the contract will not be negotiated until after the award is made, and prospective vendors shall not construe the AOC's responses to questions as the AOC's final position on a question raised, nor rely on the AOC's answers as a guarantee of a later successful negotiation of terms.

J. Protest procedure

1. All protests are subject to, and shall follow, the process provided below.
2. Failure of a prospective Service Provider to comply with any of the requirements of the protest procedures set forth in this Section K will render a protest inadequate and will result in rejection of the protest by the AOC. Such failure and subsequent rejection shall act to further forfeit the right of the prospective Service Provider to continue the protest, and is not appealable under this protest procedure.
3. A protest may only be based upon allegedly restrictive requirement in the RFP or upon alleged improprieties in regard to the AOC's execution of its responsibilities with regard to receipt and evaluation of the Proposals, or grant of award(s) but only as such responsibilities are specified in the RFP document.

A. Protests Based On Allegedly Restrictive Requirements:

Protests alleging restrictive requirements in the RFP must be submitted and will be subject exclusively to the provisions of Section B of these Administrative Rules. Any protest alleging restrictive requirements in the RFP raised later than as specified in Section C will not be considered a valid protest, will be rejected by the AOC, and the prospective Service Provider shall have no further recourse under this procedure, including no further right of appeal.

B. Protests Based on Alleged Improprieties in Regard to the AOC's Execution of its Responsibilities:

A prospective Service Provider who has actually submitted a Proposal may protest the AOC's rejection of its RFP for failure to comply with the requirements of the RFP, or upon the basis of an allegation of improprieties with regard to the AOC's responsibility to fairly and impartially evaluate the RFPs and make awards, but only insofar as such responsibilities are specified in the RFP document. In order to be accepted as valid, such protests must meet at least one of the following conditions and must be submitted in writing with the required documentation specified below:

- a. If a Proposal is rejected because of an alleged failure to provide the Proposal to the AOC on or before the date and time due, and/or to the place required, and/or to otherwise properly provide the Proposal with regard to any other requirement necessary to make a correct submission as specified by the RFP, the prospective Service Provider may file a protest. Said protest must provide verifiable documentation that it has submitted a Proposal in compliance with all the RFP's directives regarding timeliness, place of delivery and/or other required aspects necessary to make a submission. Such protests must be filed within (5) full AOC business days following the date of dispatch of the notice of rejection.
- b. If a Proposal is rejected because the Proposal submitted is incomplete with regards to the materials required to make a submission, or fails to meet any other material requirement of the RFP, the prospective Service Provider may file a protest. Said

protest must provide a written explanation which alleges to reasonably demonstrate that the Proposal submitted was in fact complete and/or is in fact in compliance with the RFP requirement(s) in question. Such protests must be filed within (5) full AOC business days following the date of dispatch of the notice of rejection.

- c. If a Proposal fails to win an award or qualify the prospective Service Provider for a short listing for further evaluation and the prospective Service Provider alleges that said failure was due to a failure of the AOC to fairly and impartially execute its responsibilities with regard to evaluation and award of the work as such responsibilities were specified in the RFP, the prospective Service Provider may file a protest. Said protest must provide a written explanation which alleges to reasonably demonstrate in what manner the AOC has failed to fairly and impartially execute said responsibilities. Such protests must be filed within (5) full AOC business days following the date of posting of award notices to the AOC website for the RFP.

In order to be considered valid, all such protests to be submitted:

1. Must be submitted by e-mail to the e-mail address established for the submission of questions in the RFP document. PDF documents may accompany the e-mail as further detailed below.
2. Must include the name, address, telephone and facsimile numbers, and email address of the party protesting or their representative.
3. Must provide the title of the solicitation document under which the protest is submitted.
4. Must provide a detailed description of the specific legal and/or factual grounds for the protest and all supporting documentation and evidence available to the protesting party. PDF files of documents are acceptable, but the AOC reserves the right to require originals if it so deems necessary. If the protestor fails to include documentation or evidence which could have reasonably been provided at the time the protest is made, such failure shall act to restrict the introduction of such evidence at a later date.
5. Must provide a detailed description of the specific ruling or relief requested.
6. Must cite **all** protests that the prospective Service Provider intends to make. Failure to raise a protest in the initial protest submittal shall act to disqualify the raising of that protest at a later date.

Any protest failing to meet or provide the appropriate requirements as noted above shall not be considered valid and will be rejected as non-compliant by the AOC and the prospective Service Provider shall have no further recourse under this procedure, including any right of appeal.

If the course of investigation of a protest and when the AOC deems necessary, the AOC may request and protestor shall make best efforts to provide further evidence or documentation as requested by the AOC.

The existence of a protest will in no way act to restrict the right of the AOC to proceed with the procurement. The AOC, at its sole discretion, may elect to withhold the contract award(s) until the protest is resolved or denied or may proceed with the award as it deems in the best interests of the State of California.

K. Protest Decisions

The protest will be forwarded to the appropriate Contracting Officer at the AOC, who will assess the protest submission for compliance with the requirements of these Administrative Rules, and, if deemed a valid protest under said rules, shall examine the issues raised and materials provided. Invalid protests shall be returned accompanied with a statement detailing the aspects of the protest submitted that failed to comply with the Administrative Rules.

If the protest submission is deemed valid, the AOC will consider the relevant circumstances surrounding the procurement in its prescription of a fair and reasonable remedy.

The Contracting Officer will endeavor to provide the protesting prospective Service Provider with a written judgment within ten (10) AOC business days following the day of receipt of the protest. The judgment shall include a description of any relief or remedy that shall be provided.

If awarding a remedy, the AOC shall, at its sole discretion, choose to employ any or a combination of the following remedies:

- Award the contract consistent with the RFP
- Extend an additional award to the protesting prospective Service Provider
- Terminate the already existing contract that resulted from the RFP and award the contract to the protesting prospective Service Provider
- Terminate the already existing contract that resulted from the RFP for convenience and re-solicit the RFP
- Refrain from exercising options to extend the term of the contract that resulted from the RFP and re-solicit sooner than originally planned
- Other such remedies as the AOC may deem necessary and appropriate.

While the AOC will endeavor to investigate the protest and provide a written response to the prospective Service Provider within ten (10) AOC business days, if the AOC requires additional time to review the protest and is not able to provide a response within said period of time, the AOC will notify the prospective protesting Service Provider of the expected time within which it shall provide a response.

L. Appeals Submission

The Contracting Officer's ruling and any relief specified in the ruling shall be considered the final judgment and adequate relief regarding the protest unless the protesting Service Provider thereafter seeks an appeal of the ruling or relief prescribed.

All appeals are subject to, and shall follow, the process provided below. The protestor may seek an appeal of the ruling and/or relief by filing a request for appeal addressed to the AOC's Senior Manager, Business Services, at the same address noted for the submission of questions in the RFP. In order to be accepted as valid, any such appeal must be received by the AOC within five (5) AOC business days following the date of issuance of the AOC Contracting Officer's decision.

The justification for an appeal is specifically limited to the following.

- a. Facts and/or information related to the protest, as previously submitted, that were not reasonably available at the time the protest was originally submitted; or
- b. Allegation(s) that the Contracting Officer's decision regarding the protest contained errors of fact, and that such errors of fact were significant and material factors in the Contracting Officer's decision; or
- c. Allegation(s) that the decision of the Contracting Officer with regards to the protest was in error of law or regulation.

Appeals raising other justifications for appeal shall be rejected as non-compliant and the prospective Service Provider shall have no further recourse under this procedure, including any further right of appeal.

In order to be considered valid, all requests for appeal must be:

1. Submitted by e-mail to the e-mail address established for the submission of questions in the RFP document and addressed to the AOC's Senior Manager, Business Services. PDF documents may accompany the e-mail as further detailed below.
2. Must include the name, address, telephone and facsimile numbers, and email address of the appealing party or their representative.
3. Must provide the title of the solicitation document under which the appeal is submitted.

4. Must provide a detailed description of the specific legal and/or factual grounds for the appeal and all supporting documentation and evidence available to the protesting party. PDF files of documents are acceptable, but the AOC reserves the right to require originals if it so deems necessary. If the appeal fails to include documentation or evidence which could have reasonably been provided at the time the appeal is made, such failure shall act to restrict the introduction of such evidence at a later date.
5. Must provide a detailed description of the specific ruling or relief requested.
6. Must cite **all** appeals that the protesting prospective Service Provider intends to make. Failure to raise an appeal in the initial appeal submittal shall act to disqualify the raising of that appeal at a later date.

M. Appeals Decisions

The AOC's Senior Manager, Business Services will assess the appeal submission for compliance with the requirements of these Administrative Rules, and, if deemed a valid appeal under said rules, shall examine the issues raised and materials provided. Invalid appeals shall be returned accompanied with a statement detailing the aspects of the appeal submitted that failed to comply the Administrative Rules.

If the appeal submission is deemed valid, the AOC will consider the relevant circumstances surrounding the procurement in its prescription of fair and reasonable remedy, the AOC Senior Manager Business Services will endeavor to provide the appealing prospective Service Provider with a written judgment within ten (10) AOC business days following the day of receipt of the appeal. The judgment shall include a description of any relief or remedy that shall be provided.

While the AOC will endeavor to investigate the appeal and provide a written response to the prospective Service Provider within ten (10) AOC business days, if the AOC requires additional time to review the appeal and is not able to provide a response within said period of time, the AOC will notify the appealing prospective Service Provider of the expected time within which it shall provide a response. The judgment of the AOC Senior Manager Business Services and any relief or remedy specified shall be final and are not subject to further appeal.

N. News Releases

News releases pertaining to the existence or disposition of a protest or appeal may not be made without prior written approval of the AOC Senior Manager, Business Services.

O. Disposition of Proposal Materials Submitted

All materials submitted in response to the RFP will become the property of the State of California and will be returned only at the AOC's option and at the expense of the prospective Service Provider submitting the Proposal. One copy of a submitted Proposal will be retained for official files and become a public record.

P. Payment and Withholding

1. Payment terms will be specified in the contract document that will be executed as a result of an award made under this RFP, however, prospective Service Providers are hereby advised that AOC payments are made by the State of California, and the State does not make any advance payment for services. Payment by the State is normally made based upon completion of tasks as provided for in the agreement between the AOC and the selected Service Provider.
2. The AOC may withhold ten percent of each invoice until receipt and acceptance of the final good or service procured. The amount of the withhold may depend upon the length of the project and the payment schedule provided in the agreement between the AOC and the awarded Service Provider.

County by County Service Listing Grouped by Zone

Attachment 1

(Please indicate with a 'YES' or 'NO' your firm's ability to provide a specific service within each county of California.)

County (MODIFY, SORT BY ZONE)	Yes or No	Past Projects there? Yes or no	Office there? Yes or No
ZONE 1-BANCRO			
Alameda County			
Contra Costa County			
Del Norte County			
Humboldt County			
Lake County			
Marin County			
Mendocino County			
Monterey County			
Napa County			
San Benito County			
San Francisco County			
San Mateo County			
Santa Clara County			
Santa Cruz County			
Solano County			
Sonoma County			
ZONE 2-NCRO			
Alpine County			
Amador County			

RFP General Contractors

County (MODIFY, SORT BY ZONE)	Yes or No	Past Projects there? Yes or no	Office there? Yes or No
Butte County			
Calaveras County			
Colusa County			
El Dorado County			
Fresno County			
Glenn County.			
Kings County			
Lassen County			
Madera County			
Mariposa County			
Merced County			
Modoc County			
Mono County			
Nevada County			
Placer County			
Plumas County			
Sacramento County.			
San Joaquin County			
Shasta County.			
Sierra County			
Siskiyou County			
Stanislaus County			
Sutter County			
Tehama County			

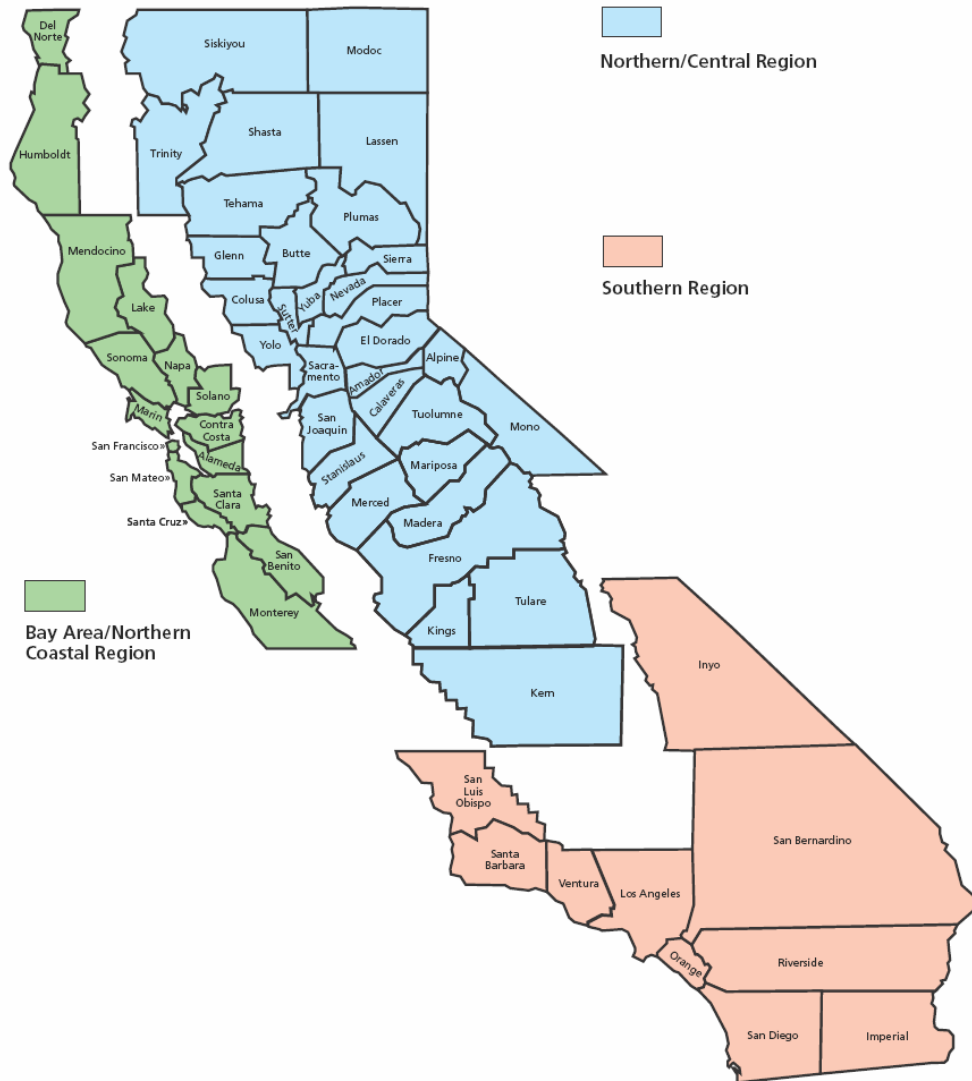
RFP General Contractors

County (MODIFY, SORT BY ZONE)	Yes or No	Past Projects there? Yes or no	Office there? Yes or No
Trinity County			
Tulare County			
Tuolumne County.			
Yolo County			
Yuba County			
ZONE 3-SRO			
Imperial County			
Inyo County			
Kern County			
Los Angeles County			
Orange County			
Riverside County			
San Bernardino County			
San Diego County			
San Luis Obispo County			
Santa Barbara County			
Ventura County			

ATTACHMENT A

Administrative Office of the Courts

Regional Map



ATTACHMENT B

Standard Agreement (Sample Document)

(Attached to RFQ as a separate file)

ATTACHMENT C

FEE RATES - OVERHEAD & PROFIT %

CORPORATE OVERHEAD & PROFIT PERCENTAGE

Please quote a corporate overhead and profit percentage based upon the following project cost ranges: please note that the percentage rates should include any bond costs associated with the given cost range. Contractors may submit up to three (3) Attachment Cs (one for each Zone/Region). **Insurance will be identified as a separate line item in the cost proposal submission of a given project.**

Project Costs:	OH & P %
\$50,000 up to \$100,000	
\$100,000 up to \$250,000	
\$250,000 up to \$500,000	
\$500,000 to 750,000.00	
\$750,000 to \$1,000,000.00	
\$1,000,000.00 to \$2,500,000.00	

The following cost items shall be considered project General Conditions and not part of above OH & P % rate for the purposes of this proposal:

Office Trailer	First Aid Equipment & Supplies	Architectural & Engineering Fees
Job Site Signage	Security	
Field Office Furnishings	Fire Protection & Extinguishers	
Field Office Equipment	Street Cleaning & Good Neighbor Policies	
Field Office Supplies	Dust Control	
Temporary Protection	Plans / Printing	
Misc. Equipment rental	Temporary Hand Rails and Safety Cables	
Temporary Power	Project Photographs/ Video	
Temporary Lighting	Dumpster Rental	
Daily Clean-up	Hand Tools/Disposables	
Final Power Bill	Storage Bins	
Temporary Heat	Weather Protection	
Portable Toilets	Temporary Parking/ Metered Stall Rental	
Postage, Courier & Shipping	Final Cleanup	
Temporary Fencing	Safety Equipment	
Water Service	Travel & Subsistence	

MANAGEMENT STAFFING

Description:	Hourly Rate
Project Principal	
Project Manager	
Asst Project Manager	
Superintendent	
Estimator / Pre-Construction Mgr	
Scheduler	

Above management personnel rates as listed above should include: base pay, labor burden, vacation, medical, computer computer and phone.