

Request for Qualifications

**TITLE: ENVIRONMENTAL SERVICES
CONSULTANTS**

RFQ # REFM-2016-03-MS

The Judicial Council of California seeks to select qualified firms to provide Environmental Services Consultants for operation and construction projects of the Judicial Branch's Real Estate and Facility Management Office, which manages operational needs for more than 500 court judicial branch facilities and provides site selection and acquisition services for new capital projects throughout the State of California.

**PROPOSAL DUE DATE: 2 PM
PACIFIC TIME ON JUNE 29, 2016**



**JUDICIAL COUNCIL
OF CALIFORNIA**

ADMINISTRATIVE DIVISION
REAL ESTATE AND FACILITIES MANAGEMENT

TABLE OF CONTENTS

1. BACKGROUND INFORMATION.....	2
2. DESCRIPTION OF SERVICES AND DELIVERABLES.....	3
3. TIMELINE FOR THIS RFQ.....	4
4. RFQ ATTACHMENTS.....	4
5. PROPOSED PAYMENTS FOR SERVICES.....	4
6. PRE-PROPOSAL CONFERENCE.....	7
7. PROPOSAL CONTENTS.....	7
8. OFFER PERIOD.....	8
9. SUBMISSION OF PROPOSALS.....	9
10. EVALUATION OF PROPOSALS.....	9
11. CONFIDENTIAL OR PROPRIETARY INFORMATION.....	9
12. DISABLED VETERAN BUSINESS ENTERPRISE INCENTIVE.....	10
13. PROTESTS.....	11

- ATTACHMENT 1 - Standard Master Agreement
- ATTACHMENT 2 - Administrative Rules Governing RFQs (Non-IT Services)
- ATTACHMENT 3 - Proposer's Acceptance of Terms and Conditions
- ATTACHMENT 4 - General Certifications Form
- ATTACHMENT 5 - Darfur Certification Form
- ATTACHMENT 6 - Payee Data Record
- ATTACHMENT 7 - DVBE Participation Form
- ATTACHMENT 8 - Bidder's Declaration
- ATTACHMENT 9 - Form for Submission of Questions

1. BACKGROUND INFORMATION

1.1 The Judicial Council of California operates and maintains numerous Judicial Branch facilities throughout California for the California Supreme Court, California Appellate Courts, and Superior Courts of California, and the Judicial Council also plans and constructs new facilities and demolishes old structures. These facilities may have fuel storage tanks, diesel engine-powered assets, HVAC assets that burn petroleum products and utilize refrigerants, storm water runoff infrastructure, and hazardous materials and hazardous waste. Environmental Compliance and Sustainability (EC&S) staff of the Judicial Council of California's Office of Real Estate and Facilities Management are issuing this Request for Qualifications (RFQ) to identify several qualified environmental consultants to provide environmental-related services for existing or proposed Judicial Branch facilities and their associated regulated assets.

1.2 Objective.

1.2.1 The intention of this RFQ is to broadly describe the scope of requirements for the work that EC&S anticipates will be performed as a result of this procurement. The Proposal submitted in response to this RFQ shall indicate the services that a responding company is qualified to perform and proposes to perform. Based on the responses to this RFQ, EC&S plans to select consultants qualified to provide specific portions or all of the scope of services described in this RFQ and negotiate Master Agreements with the selected consultants. EC&S expects the duration of the Master Agreements to be five years, and EC&S expects to include an option for a mutually agreed two-year extension of the Master Agreement.

1.2.2 EC&S will request master agreement-holding consultants to submit proposals as project arise. EC&S will evaluate the proposals submitted by the master agreement holding consultants and evaluates each proposer's cost data, proposed plan of work and schedule, and proposer's record of performance. EC&S will then select a contractor for the project.

1.2.3 The EC&S does not guarantee the amount or duration of work or number of Work Authorizations that may be given to consultants awarded Master Agreements. EC&S will assign work assignments to particular consultants at our own discretion.

1.2.4 All Environmental Services work that will be done as a result of this RFQ shall be in accordance with the requirements expressed in this document and with the EC&S Master Agreement applicable to the work, which includes compliance with all currently applicable local, State, and federal codes and regulations.

Title: Environmental Services Consultants
Number: REFM-2016-03-MS

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

EC&S is issuing this RFQ to identify and contract with several qualified environmental services consultants to provide any of a range of services related to existing and new California Court facilities.

This scope of Environmental Services work includes the following tasks:

- 2.1. Conduct Environmental Site Assessment (Phase 1, Phase 2, and Phase 3) investigations and activities in compliance with current regulations, codes, and practices and provide detailed reports of findings and any subsequent recommendations.
- 2.2. Conduct site visits to identify issues, collect data, and prepare plans related to environmental concerns for facility operations, occupancy, and compliance requirements.
- 2.3. Provide environmental compliance activities including:
 - 2.3.1. Inspect and manage remedial clean-up activities including removal of hazardous materials and hazardous waste, storage and transport of hazardous materials/hazardous waste;
 - 2.3.2. Monitor and manage clean-up of air, soil, and water/groundwater resources;
 - 2.3.3. Provide storm water-related monitoring, inspections, and evaluations for Construction General Permits and Municipal Separate Storm Sewer System (MS4) Permits;
 - 2.3.4. Inspect and review management and compliance activities for underground storage tanks and aboveground storage tanks;
 - 2.3.5. Prepare spill protection and prevention plan and reports, emergency response reports, worker’s health and safety assessment and reporting, evaluations of personal protection equipment, injury and illness plans and reports preparation, and updates.
- 2.4. Prepare regulatory compliance documents and compliance-related training for the equipment and materials that are available in Judicial Branch facilities such as comfort

Title: Environmental Services Consultants
Number: REFM-2016-03-MS

cooling and refrigeration equipment, boilers, diesel engine-powered generators and fire pumps, underground storage tanks or aboveground storage tanks, elevators, stormwater and potable water infrastructure, and pressure vessels.

- 2.5. Prepare surveys, reports and specifications for identifying asbestos-containing material (ACM), lead-based paint (LBP), polychlorinated biphenyls (PCBs), and other hazardous waste material.
- 2.6. Provide oversight during hazardous waste abatement activities including consultant selection, managing permits, managing abatement work, and performing close-out activities.
- 2.7. Assist with selection of contractors and subcontractors to conduct environmental work and provide review and recommendations on the reports, documentation and work outputs that are provided by entities.
- 2.8. Represent EC&S's interest in meetings with environmental regulatory agencies and others.

3. TIMELINE FOR THIS RFQ

Table 1 shows the schedule for this RFQ. EC&S may change the dates at their discretion. EC&S advises potential proposer's to check the Judicial Council of California website (<http://www.courts.ca.gov/rfps.html>) frequently for changes and updates to the RFQ including schedule changes.

EC&S also recommends that potential proposers who intend to respond to this RFQ express an interest in the RFQ by sending an email to CapitalProgramSolicitations@jud.ca.gov with the RFQ number and name in the subject line prior to the pre-proposal teleconference date and time that is specified in Table 1. Please include the name, address, telephone, fax number, and e-mail address of the Service Provider (firm) and contact person.

4. RFQ ATTACHMENTS

Table 2 lists attachments for this RFQ. All attachments are included as part of this RFQ.

5. PROPOSED PAYMENTS FOR SERVICES

Table 3 gives a brief description of work that EC&S needs and EC&S's firm fixed price (FFP) or time and materials (T&M) expectations for the works' contractual classification. Each consultant shall furnish without limitation all necessary labor, material, hardware, software, tools, and equipment to complete the work as described in this document and future scopes of services. Each consultant will use available codes, regulations, professional standards, accepted best practices, and other relevant knowledge to provide the service to the standard level of professional service.

Table 1. RFQ Schedule

#	Event	Date
1.	Issuance of the RFQ	June 1, 2016
2.	Letter of Intent from Bidder to Participate in Pre-Proposal Conference	June 7, 2016
3.	Pre-Proposal Conference	Date: June 8, 2016 Time: 1:30 pm PST Teleconference Number: 877-820-7831, participant code 326556
4.	Deadline for Service Provider's requests for clarifications, modifications or questions regarding the RFQ (See Attachment 9). Email all questions to: CapitalProgramSolicitations@jud.ca.gov	<u>Date: June 13, 2016</u>
5.	Clarifications, Modifications and/or Answers to Questions posted on the website.	<u>Date: June 15, 2016</u> <u>(Estimated)</u>
6.	<u>ADDRESS AND DEADLINE— Hard copy proposals must be delivered to:</u> Judicial Council of California Attn.: Nadine McFadden-REFM 2016-03-MS 455 Golden Gate Avenue, 6th Floor San Francisco, CA 94102	<u>2 PM Pacific Time</u> <u>on June 29, 2016</u>
7.	Notice of Award on the Court website: http://www.courts.ca.gov/rfps.htm	July 6, 2016 (Estimated)
8.	Full Performance Start Date	August 2016 (Estimated)

Table 2. RFQ Attachments

#	Attachments	Description
1	Attachment 1: Judicial Council's Standard Terms and Conditions	Standard agreement including Exhibits A through G. If selected, the person or entity submitting a response to the RFQ must sign this JCC Standard Form agreement
2	Attachment 2: Administrative Rules Governing RFQs (Non-IT Services)	These rules govern this solicitation.
3	Attachment 3: Proposer's Acceptance of Terms and Conditions	On this form, the Proposer must indicate acceptance of the Master Agreement Terms and Conditions.
4	Attachment 4: General Certifications Form	The Proposer must complete the General Certifications Form and submit the completed form with its proposal.
5	Attachment 5: Darfur Certification Form	The Proposer must complete the Darfur Contracting Act Certification and submit the completed certification with its proposal.
6	Attachment 6: Payee Data Record	This form contains information required in order to process payments and must be submitted with the proposal.
7	Attachment 7: DBVE Participation Form	The Proposer must complete this form and submit it with their proposal. If Proposer wishes to qualify for the DVBE incentive.
8	Attachment 8: Bidder's Declaration	Complete this form only if the Proposer wishes to claim the DVBE incentive associated with this solicitation.
9	Attachment 9: Form for submission of questions.	Complete this form if you want to submit questions pertaining to this RFQ.

Please provide pricing for Phase 1 Environmental Site Assessment shown in Table 3, and provide projected staff classifications and fully burdened hourly rates for all employees who will provide any or all of the time and materials services listed in Table 3.

Table 3. Required Proposal Tasks

Task #	Deliverable Task	T&M or FFP¹
1	Conduct Phase 1 Environmental Site Assessment	FFP ²
2	Conduct Phase 2 Environmental Site Assessment	T&M
3	Conduct Phase 3 Environmental Site Assessment	T&M
4	Conduct site visits to identify issues and collect data for environmental concerns for facility operations and occupancy.	T&M
5	Conduct inspections and manage field remedial clean-up activities including storage and transport of hazardous materials/hazardous waste.	T&M
6	Conduct monitoring and manage clean-up of air, soil, and water/groundwater resources;	T&M
7	Provide storm water-related monitoring and inspections for Construction General Permits and Municipal Separate Storm Sewer System (MS4) Permits	T&M
8	Conduct inspections and review compliance activities for underground storage tanks and aboveground storage tanks (including associated lines, pumps, and other infrastructure)	T&M
9	Prepare spill protection and prevention plans and reports, emergency response reports, worker's health and safety assessments and reports, and injury and illness plans and reports.	T&M
10	Conduct inspections and prepare regulatory compliance documents for the equipment and materials that are available in Judicial Branch facilities such as comfort cooling and refrigeration equipment, boilers, diesel engine-powered generators, diesel engine-powered fire pumps, underground storage tanks or aboveground storage tanks, hydraulic fluid-related components of elevators, stormwater and potable water infrastructure, and pressure vessels.	T&M
11	Prepare surveys, reports and specifications for identifying asbestos-containing material (ACM), lead-based paint (LBP), polychlorinated biphenyls (PCBs), and other hazardous waste material.	T&M
12	Provide oversight during hazardous waste abatement activities including consultant selection, managing permits, managing abatement work, and performing close-out activities.	T&M
13	Assist with selection of contractors and subcontractors to conduct environmental work and provide review and recommendations on the reports, documentation and work outputs provided by other entities.	T&M
14	Represent Judicial Council's interests in meetings with environmental regulatory agencies and others as requested.	T&M

EC&S will reimburse non-travel expenses based on paid invoices provided that Contractor obtained the required approval from Judicial Council Project Manager before the expenses occurred. Non-travel expenses includes filing fees, regulatory agencies, permit fees, and report recording fees. EC&S will reimburse travel expenses in accordance with Judicial Council of California policies for reimbursement of Judicial Council of California staff in effect at the time of the expenses.

¹ T&M= Time and materials; FFP = Firm fixed price

² EC&S expects most Phase 1 assessments to be FFP, but EC&S may request some large, complex Phase 1 assessments to be T&M.

6. PRE-PROPOSAL CONFERENCE

See Table 1 for the details of the pre-proposal conference call.

7. PROPOSAL CONTENTS

- 7.1. **Cover Letter:** Include a cover letter with your proposal. The Cover Letter must include the Proposer's name, address, telephone and fax numbers, and federal tax identification number.³ The Cover Letter must also include name, title, address, telephone number, and email address of the individual who will act as the Proposer's designated representative for purposes of this RFQ. Limit the Cover Letter to one page.
- 7.2. **Prior Projects:** Provide examples of the prospective Proposer's most relevant projects that are similar to this RFQ's scope of work. Emphasize work completed in the last five years and work completed for other State of California agencies or local government agencies. Include no more than 10 projects, and place each project on a separate sheet. List the title and location of the project, dates of work, a description of the project's scope of work (including size and cost), and the firm's specific role in the project. Describe the prospective Proposer's quality control program for the projects and measures taken to ensure timely delivery of deliverables. Be sure to include the owner's contact information for each project as a reference, and ensure contact information is current.
- 7.3. **Regional Scope:** Include a description of the Proposer firm's ability or limitations to provide state-wide or regional services as indicated by resources and staffing. Limit the description to one page.
- 7.4. **Price Proposal:**
 - 7.4.1. Include a projected firm fixed price for conducting a Phase 1 Environmental Site Assessment.

Include projected staff classifications and fully burdened hourly rates for all employees who will provide any or all of the services under consideration as they might be billed to EC&S and indicate a job title, a short corresponding job description, and description of the services the employee classification might provide.
- 7.5. **Resume:** Include a resume for each key staff member describing the individual's background, experience, and the individual's ability and experience in conducting the proposed activities. Limit each resume to one page, and limit the total number of resumes to seven.

³ If the Proposer is a sole proprietor using his or her social security number, EC&S will require the social security number to finalize a contract.

7.6. **References:** Provide contact names, addresses, and telephone numbers for a minimum of four (4) clients for whom the Proposer has conducted similar services. Ensure contact information is up-to-date. Include a brief description of the services provided to the clients. Limit the list to no more than one page. EC&S may check the references listed by the Proposer.

7.7. **Acceptance of the Terms and Conditions:**

7.7.1. On Attachment 3, the Proposer must check the appropriate box and sign the form. If the Proposer marks the second box, the Proposer must provide the required additional materials. An “exception” includes any addition, deletion, or other modification.

7.7.2. If exceptions are identified, the Proposer must also submit (i) a red-lined version of the Terms and Conditions that implements all proposed changes and (ii) a written explanation or rationale for each exception and/or proposed change. Note that a material exception to a Minimum Term will render a Proposer non-responsive.

7.8. **Certifications, Attachments, and other Requirements:**

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

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

7.8.3. The Proposer must complete the Payee Data Record Form (Attachment 6).

7.8.4. If the Proposer is a California corporation, limited liability company (“LLC”), limited partnership (“LP”), or limited liability partnership (“LLP”), the Proposer must submit proof that Contractor is in good standing in California.⁴

7.8.5. Copies of the Proposer’s (and any subcontractor’s) current business licenses, professional certifications, or other credentials.

8. OFFER PERIOD

A Proposer's Proposal shall be an irrevocable offer for ninety (90) days following the Proposal due date. In the event that the Judicial Council of California has not awarded a final contract within this period, EC&S reserves the right to negotiate extensions to this period.

⁴ If Contractor is a foreign corporation, LLC, LP, or LLP, and Contractor conducts or will conduct (if awarded the contract) intrastate business in California, the Proposer must submit proof that Contractor is qualified to do business and in good standing in California.

Title: Environmental Services Consultants
Number: REFM-2016-03-MS

9. SUBMISSION OF PROPOSALS

9.1. The Proposer must submit **one (1)** copy of:

- 9.1.1. Cover Letter
- 9.1.2. References
- 9.1.3. Acceptance of Term and Conditions
- 9.1.4. Attachments

9.2. The Proposer must submit **three (3)** copies of

- 9.2.1. Prior Projects
- 9.2.2. Regional Scope
- 9.2.3. Resume for each key staff member.

9.3. The Proposer must submit **one (1) original and two (2) copies** of the Price Proposal in a sealed envelope. The Proposer must write "Price Proposal - (firm name). Environmental Services Consultants, RFQ REFM-2016-03-MS" on the outside of the sealed Proposal envelope.

9.4. Send Proposals by registered or certified mail, courier service, or by hand delivery to the address and addressee shown in Table 1; do not send Proposals by fax or email. Table 1 lists the deadline for Proposals.

10. EVALUATION OF PROPOSALS

EC&S staff will evaluate the prospective vendor's Proposals using the following criteria and weights listed in Table 4.

11. CONFIDENTIAL OR PROPRIETARY INFORMATION

Proposals are subject to disclosure pursuant to applicable provisions of the CALIFORNIA PUBLIC CONTRACT CODE and RULE 10.500 of the CALIFORNIA RULES OF COURT. EC&S will not disclose social security numbers, and EC&S will not disclose balance sheets or income statements submitted by a Proposer that is not a publicly-traded corporation. In response to applicable public records requests, EC&S will disclose all other information in Proposals. Such disclosure will be made regardless of whether the Proposal (or portions thereof) is marked "confidential" or "proprietary" or otherwise and regardless of any statement in the Proposal (a) purporting to limit EC&S's right to disclose information in the Proposal or (b) requiring EC&S to inform or obtain the consent of the Proposer prior to the disclosure of all or portions of the Proposal. EC&S cautions Proposers not to include confidential, proprietary, or privileged information in Proposals.

Table 4. Criteria for Evaluation of Proposals

#	Criterion	Potential Points
1	Record demonstrating provision of high quality, accurate, and timely delivery of goods and services and a well-established, documented, and effective quality control program.	30
2	Projected firm fixed price costs for Phase 1 Environmental Assessments and projected staff classifications, fully burdened hourly rates, job titles, job descriptions, and the description of the services the employee classifications might provide.	25
3	Amount of experience similar to that required in this RFQ during the past five (5) years in providing services for government agencies, institutions, and corporations.	25
4	Regional Scope: Ability of firm to provide state-wide or regional services as indicated by resources and staffing.	9
5	Demonstrated capacity to handle assignments in a timely matter that are similar to those described by this RFQ.	8
6	("DVBE") Incentive Disabled Veterans Business Enterprise incentive is available to qualified proposers.	3

12. DISABLED VETERAN BUSINESS ENTERPRISE INCENTIVE

- 12.1. Qualification for the DVBE incentive is not mandatory. Failure to qualify for the DVBE incentive will not render a proposal non-responsive.
- 12.2. Eligibility for and application of the DVBE incentive is governed by the Judicial Council’s DVBE Rules and Procedures. Proposer will receive a DVBE incentive if, in the Judicial Council’s sole determination, Proposer has met all applicable requirements. If Proposer receives the DVBE incentive, a number of points will be added to the score assigned to Proposer’s proposal. The number of points that will be added is specified in Section 9 above.
- 12.3. 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 and IT goods and services, Proposer may have an approved Business Utilization Plan (“BUP”) on file with the California Department of General Services (“DGS”).
- 12.4. If Proposer wishes to seek the DVBE incentive:
 - 12.4.1. Proposer must submit with its proposal a DVBE Declaration (**Attachment 7**) completed and signed by each DVBE that will provide goods and/or services in connection with the contract. If Proposer is itself a DVBE, it must complete and sign the DVBE Declaration. If Proposer will use DVBE subcontractors, each DVBE subcontractor must complete and sign a DVBE Declaration. NOTE: The DVBE Declaration is not required if Proposer will qualify for the DVBE incentive using a BUP on file with

Title: Environmental Services Consultants
Number: REFM-2016-03-MS

DGS.

12.4.2. Proposer must complete and submit with its proposal the Bidder's Declaration (**Attachment 8**). Proposer must submit with the Bidder Declaration all materials required in the Bidder Declaration.

12.5. Failure to complete and submit these forms as required will result in Proposer not receiving the DVBE incentive. In addition, the Judicial Council may request additional written clarifying information. Failure to provide this information as requested will result in Proposer not receiving the DVBE incentive.

12.7. If Proposer receives the DVBE incentive: (i) Proposer will be required to complete a post-contract DVBE certification if DVBE subcontractors are used; (ii) Proposer must use any DVBE subcontractor(s) identified in its proposal unless the Judicial Council approves in writing the substitution of another DVBE; and (iii) failure to meet the DVBE commitment set forth in its proposal will constitute a breach of contract.

FRAUDULENT MISREPRETATION IN CONNECTION WITH THE DVBE INCENTIVE IS A MISDEMEANOR AND IS PUNISHABLE BY IMPRISONMENT OR FINE, AND VIOLATORS ARE LIABLE FOR CIVIL PENALTIES. SEE MVC 999.9.

12. PROTESTS

The Judicial Council will respond to any protests in accordance with Chapter 7 of the Judicial Branch Contracting Manual (see www.courts.ca.gov/documents/jbcl-manual.pdf). Failure of a Proposer to comply with the protest procedures set forth in that chapter will render a protest inadequate and non-responsive and will result in rejection of the protest. The deadline for Judicial Council to receive a solicitation specifications protest is the Proposal due date.

Protests must be sent to:

Judicial Council of California – Branch Accounting and Procurement
Attn: Protest Officer
455 Golden Gate Avenue, 6th Floor
San Francisco, CA 94102

(Indicate REFM-2016-03-MS and Name of Your Firm on lower left corner of envelope.)