



Request for Proposals (RFP) for

**ID/IQ Architectural and
Engineering Consulting
Services – Revision 3, extension to
dates/schedule, see Section 7.6,
Procurement Schedule and General
Instructions.**

The Judicial Council of California seeks to identify a number of firms qualified to provide Architectural and Engineering Consulting services for various projects to be initiated between August 2018 and August 2021 with possible extensions to August 2023. [Revised]



**JUDICIAL COUNCIL
OF CALIFORNIA**

**ADMINISTRATIVE DIVISION
FACILITIES SERVICES**



REQUEST FOR PROPOSALS

Date 05/08/2018

Contact: solicitations@jud.ca.gov

To: Architectural and Engineering Firms

From: Judicial Council of California

RFP Number: FS-2017-01-BD

RFP Title: Indefinite Delivery / Indefinite Quantity
("ID/IQ") Architectural and Engineering Consultation
Services – Revision 3, extension to dates/schedule,
see Section 7.6, Procurement Schedule and
General Instructions.

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1. INTRODUCTION

- 1.1 The judicial branch is a part of California government, independent from the executive and legislative branches, and includes the Superior and Appellate Courts of California, including the Supreme Court. A part of the judicial branch is the Judicial Council, chaired by the Chief Justice of California. The Judicial Council is the primary policy making body of the California judicial system. The Judicial Council of California (“Judicial Council” or “Owner”) is the staff agency of the Judicial Council. The Facilities Services office is the division of the Judicial Council responsible for the planning, design, construction, and real estate and asset management of facilities for the court system of California.
- 1.2 Pursuant to the Trial Court Facilities Act of 2002 (SB 1732), ownership of and responsibility for most superior court facilities in California has shifted from the counties to the state. Many of these approximately 500 existing facilities require additions, repairs, and modifications and approximately 600 facility modifications are completed per year. Over the next 5 years, approximately 15 to 50 projects with a construction value of approximately \$25,000 to \$10,000,000 per project are anticipated to require the services requested by this RFP.

2. PURPOSE OF THIS RFP

- 2.1 **Consultants.** Judicial Council seeks proposals from architectural and engineering firms to provide the services of qualified, properly licensed architectural and engineering consultants with expertise in all phases of the design, construction, and renovation of public buildings (“Proposals”). It is anticipated that selected firms will lead full teams of architects, engineers, related consultants, and/or contractors of building trades as necessary (for investigative or destructive testing only). Prospective firms for the purpose of this RFP will be referred to as “Consultants.” Consultants will be evaluated and selected to provide services primarily in one or more of the Judicial Council’s three regions (Bay Area/North Coastal, Northern/Central, and Southern regions); however, Consultants may be requested to provide services in any region throughout the State. A map of the regions is included in this RFP as Attachment B. Consultants should indicate, in their cover letter and as otherwise required by this RFP, the region(s) for which they wish to be considered.
- 2.2 **ID/IQ Contracts.** Multiple Consultants will be selected to enter into Indefinite Delivery/Indefinite Quantity (“ID/IQ”) contracts with the Judicial Council for facility additions, modifications, and renovations to existing buildings, or other necessary architectural services, or for the provision of the services they propose upon. Those Consultants may be assigned various projects and tasks, as may arise, based on the location and nature of the services required and the qualifications and resources of the Consultants (each a “Project”). 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. The initial term of the ID/IQ contracts for these Projects will be for three (3) years. The Judicial Council shall have the option, exercisable upon written notice, to extend an agreement that may be awarded under this RFP for one (1) additional period of two (2) years. It is anticipated that ID/IQ contracts will be issued to multiple Consultants in each region at the discretion of the Judicial Council.

2.2.1 Posted with this RFP is the Judicial Council's form of Standard Agreement (Attachment E), including the indemnification provision that the Judicial Council will include in that agreement, which the Judicial Council will utilize for the Services awarded pursuant to this RFP. In accordance with the Judicial Council's Administrative Rules Governing this RFP, attached hereto and incorporated herein as Attachment A, Consultant must indicate in its Proposal if it has any comments or objections to the form of agreement; **PLEASE NOTE**: the Judicial Council does not intend to consider any substantive changes to the form of agreement if they are not submitted with Consultants' Proposals. See section 4.4.14, Acceptance of Terms and Conditions, for further information and direction.

- 2.3 **Licensing.** All Consultants, and sub-consultant(s), employees or agents thereof, performing work per agreements awarded under this RFP must have, at all times throughout the duration of their performance of the work, all appropriate, valid license(s) required under law to provide the work being performed. If the possession of any license(s) including, without limitation, a valid California Architect's license(s) and/or Engineering license(s) 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 licensed individual.
- 2.4 **Prevailing Wages.** All Consultants and sub-consultant(s) shall pay all workers not less than the general prevailing rate of per diem wages and the general prevailing rate for holiday and overtime work as determined by the Director of the Department of Industrial Relations, State of California, for the type of work performed and the locality in which the work is to be performed, pursuant to sections 1770 et seq. of the California Labor Code. Prevailing wage rates are available online at: <http://www.dir.ca.gov>. All Consultants and sub-consultant(s) thereof shall comply with the registration and qualification requirements pursuant to sections 1725.5 and 1771.1 of the California Labor Code.
- 2.5 **Subsequent Project Proposals.** Consultants may be asked to provide proposals on some Projects ("Project Proposal(s)"), but may not be asked to provide Project Proposals on other Projects or none at all. The Judicial Council, at its sole discretion, may choose to issue Work in a round-robin rotation assigning Projects according to each Consultant's qualifications with the intent to issue Projects based on prior

Project performance or other pertinent criteria, as determined by the Judicial Council. In some cases, more than one Consultant will be asked to provide Project Proposals for the same Project. Selection of a Consultant for a specific Project is at the sole discretion of the Judicial Council. The Judicial Council will make efforts to award a fair share of the work to each of the Consultants per region based on their Project Proposals, specific expertise, knowledge of and involvement with specific systems and/or facilities, prior performance on this contract, and those other factors that the Judicial Council may deem pertinent for the work.

- 2.6 **Consultant Performance Management.** The Judicial Council may choose to conduct periodic Business Performance Reviews on completed Projects to evaluate the Consultant's performance for quality assurance, safety, duration of the Project, Judicial Council satisfaction, and other relevant factors. The Judicial Council, at its sole discretion, may not offer subsequent Projects to and/or may terminate an agreement with any Consultants who do not meet minimum performance benchmarks specified in their Business Performance Review.
- 2.7 **No Follow on Contracting.** For any Project that a Consultant is providing consulting services pursuant to an agreement awarded by this RFP, the Consultant is prohibited from also providing construction services on that same Project under any separate contract or agreement the Consultant may have with the Judicial Council.
- 2.8 **Sole Means.** This RFP is the sole means for prospective Consultants to submit their qualifications to the Judicial Council for the ID/IQ Architectural and Engineering consultation services for facility modification, renovation and other related Projects, as described above.

3. SCOPE OF SERVICES

- 3.1 **Consultant Services.** The scope of services requested under agreements awarded under this RFP include professional consultant services for a diversified scope of professional Architectural and Engineering Consultation services as well as incidental services that members of those professions and those in their employ may logically or justifiably perform ("Services" or "Work"). Services may range from small projects that may be handled in-house, to more complex projects that may require the assembly of a team of Sub-Consultants to provide the complete scope of Work. Consultant may retain Sub-Consultants or other contractors to deliver incidental Services under the direction of the Architect. Items listed here, in Section 3, may not all be applicable on each Project. The scope of Work includes, but is not limited to, the Services noted herein. The Judicial Council's Project Manager will provide the Consultant with an unsigned Services Request Form (Attachment E, Exhibit E), describing the Work the Judicial Council may require under a given Service Work Order. See Attachment E, Exhibit C, Section 3.0 – Service Work Order Authorization

Process, for additional detail on the issuance of Services under a Standard Agreement that may be awarded as a result of this RFP.

3.2 Additional Services. A Service Work Order may include, without limitation, the following Services:

3.2.1 Planning Research: Review, synthesize, update and/or supplement as required completed trial court facilities master plans and/or court programs.

3.2.2 Site Analysis and Consultation: Perform site analyses, including parking, traffic, zoning, on and off site utility and related utilization studies.

3.2.3 Architectural and Engineering Design Services: Provide architectural, structural, civil, mechanical, electrical, plumbing, security, acoustical, interior design, lighting, data/telecommunications, graphics, and related Services which may be required in connection with planning, design and execution of building renovation projects. Special Services may be requested as warranted by specific projects, including but not limited to, planning; vibration control; physical and electronic security design; parking structure design; parking lot planning and control.

3.2.4 Code Analysis: Conduct and/or participate in building, planning, access and historical code analyses and reviews of existing facilities.

3.2.5 Site Planning and Landscape Architecture: Provide all Services required to design, specify and coordinate site design, including grading, utilities, parking lots, driveways, hardscape, landscape, lighting and irrigation.

3.2.6 Project Reviews: Participate in peer and constructability reviews of projects.

3.2.7 Support Services / Feasibility: To construct or de-construct (investigative and destructive testing) as necessary for exploratory analysis to refine design criteria and scope of work. Hire necessary trades at prevailing wages to the extent applicable. Work may also include, but is not limited to, water testing, load tests, seismic engineering, equipment testing, etc.

3.2.8 Cost Estimating: Provide cost estimating services.

3.2.9 Construction Administration: Provide construction administration for the Project including, but not limited to, Request for Information responses, Submittal reviews, Change Order reviews, regular construction-site observations, Punchlist walk-throughs, preconstruction meetings, etc.

4. RESPONDING TO THIS RFP

4.1 Responsive Proposals will provide straightforward, concise information that satisfies the requirements specified. Please only submit documentation which has been

specified in this RFP. Materials sent which fall outside of that specified within this RFP may not be considered in proposal scoring.

- 4.2 Consultants who intend to respond to this RFP are requested to notify the Judicial Council by sending an email to Solicitations@jud.ca.gov with the RFP number and name in the subject line. Please include the name, address, telephone, fax number, and email address of the Consultant (firm) and contact person. Note, however, that interested parties must check the Judicial Council's website for subsequent notices and announcements; the Judicial Council will not address individual parties directly during this RFP's solicitation period.
- 4.3 A pre-proposal telephone conference will be held to answer questions with regards to this RFP. This telephone conference is not mandatory to submit a Proposal. The pre-proposal telephone conference can be attended by dialing 1-877-820-7831 and entering pass code number 109630. The estimated date, and time of the pre-proposal telephone conference is posted in the Procurement Schedule, Section 7.6 of this RFP. Any updates to the schedule will be posted on the Judicial Council website at: <http://www.courts.ca.gov/rfps.htm>.
- 4.4 **Proposal Format.** Proposals must be submitted in three-ring binders or three-hole soft report covers, consecutively numbered on each page. Proposals shall be no longer than twenty (20) double sided pages / forty (40) single sided pages, 8½" x 11" paper, inclusive of resumes, and pictures, and tabbed according to the numbering system reflected below. Consultants are encouraged to print double-sided to save paper. Attachments C, D, F, G, H, I, J, and K are excluded from the proposal page limit listed herein.

Two (2) complete copies of Proposals are required. Consultants shall also provide copies of Proposals as separate files on one (1) compact disk or USB flash drive containing all documentation required below in both Adobe PDF format and editable formats; label the CD or drive clearly with the name of your organization and with "**FS-2017-01-BD.**"

Proposals should be tabbed according to and include the following sections:

- 4.4.1 **Cover Letter (1-page limit):** A cover letter, signed by an authorized representative of your organization, that provides the exact business name under which you propose to conduct business with the Judicial Council, and your address, telephone, fax number, e-mail address, and federal tax identification number. 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). You may propose for any or all service regions. The cover letter must state that the Standard Agreement posted with this RFP is completely acceptable to the

Consultant as posted except as otherwise specifically indicated, pursuant to section 4.4.14, Acceptance of the Terms and Conditions, of this RFP.

4.4.2 **Table of Contents:** A table of contents of the material contained in the Proposal should follow the cover letter.

4.4.3 **Executive Summary:** The executive summary should contain a brief summary of Consultant's qualifications.

4.4.4 **Qualifications Questionnaire:** All Consultants submitting a Proposal shall also submit a completed Qualification Questionnaire with its Proposal, the form of which is attached hereto as **Attachment D**.

4.4.4.1 Consultants must update their Qualification Questionnaire if Consultant's status or information changes.

4.4.4.2 A Consultant's Qualification Questionnaire shall be deemed nonresponsive if, without limitation, the Consultant's Qualification Questionnaire is not submitted with its Proposal, does not provide all requested information, is not signed under penalty of perjury by an individual who has the authority to bind the Consultant, is not updated as required or is misleading or inaccurate in any material manner (e.g., financial resources are overstated, previous violations of law are not accurately reported, etc.).

4.4.5 **Payee Data Record (no page limit):** A separately printed and signed original Payee Data Record, completed in the exact name of the business entity under which you propose to do business with the Judicial Council. A separately printable copy of this form has been posted with this RFP as Attachment I.

4.4.6 **Delinquent Taxpayer Status (2-page limit):** Provide a written and certified document identifying whether or not the Prime Proposer (or Prime Proposers if a joint venture) organization is listed on either or both of the following lists; if listed on either or both lists, also provide an explanation.

- State of California Franchise Tax Board's "Top 500 Delinquent Taxpayers" (available at <https://www.ftb.ca.gov/aboutftb/delinquent-taxpayers.shtml>); and/or;
- California State Board of Equalization's "Top 500 Sales & Use Tax Delinquencies in California" (available at <http://www.boe.ca.gov/sutax/top500.htm>)

4.4.7 Proposed Personnel/Project Team:

4.4.7.1 Identify the key personnel that Consultant would assign to the Project(s), including their roles. For each, describe his or her experience working on projects with same or similar Services as noted in Section 3 including identifying the ten (10) most recent of those projects. Additionally provide detail on his or her experience working on public works projects. List license numbers and dates issued. Include an organizational chart indicating all personnel and their positions.

4.4.7.2 Include resumes of key personnel who will be performing Services for the Judicial Council. Specifically, define the role of each person and outline his or her individual experience and responsibilities. Indicate personnel who will serve as primary contact(s) for the Judicial Council. Indicate Consultant's and personnel's availability to provide the Services.

4.4.8 **Statement of Services:** Prepare a detailed Statement of Services for which Consultant is submitting its Proposal, and briefly demonstrating Consultant's understanding of the Services and work required for the Projects (see Section 3, Scope of Services, for reference). Consultant must specifically identify work or services that Consultant is **excluding** from its Statement of Services or that are **not** included or provided by Consultant.

4.4.9 **Reference Checks.** The Consultant shall provide five (5) client references that must be from recently completed projects. Please include the following with each client reference: name of entity/firm, contact person, their phone number/email, project title, location, and start/end dates. The Judicial Council will contact the references to conduct a customer satisfaction survey. Responding clients will be asked to score the following: Consultant's quality of work, scheduling practices, project and subcontractor management, working relationships, and paperwork processing. Reference responses will be scored from one (1) – unsatisfactory to five (5) – excellent. Reference evaluation forms will be totaled and be applied as indicated in Section 6.1.

4.4.10 Consultant Information:

4.4.10.1 Provide a brief history of Consultant, and, if a joint venture, of each participating entity. Identify legal form, ownership, and senior officials of company(ies). Describe number of years in business and types of business conducted.

- 4.4.10.2 Provide Consultant's current contact information and email address to send Consultant notifications hereunder.
- 4.4.10.3 Describe Consultant's philosophy and how Consultant will work with the Judicial Council staff in performing the Services.
- 4.4.10.4 Provide a statement of Consultant's financial resources and insurance coverage. Include a certification of correctness of Consultant's statement of financial resources.
- 4.4.10.5 Provide a statement of ALL claim(s) filed against Consultant in the past five (5) years. Briefly indicate the nature of the claim and the resolution, if any, of the claim(s).
- 4.4.11 Prior Relevant Experience:**
- 4.4.11.1 Describe Consultant's experience with the Uniform Building Code ("UBC"), Title 24 of the California Code of Regulations, the State Fire Marshall ("SFM"), and the Division of the State Architect ("DSA").
- 4.4.11.2 Provide a list of five (5) entities for which Consultant has provided the same or similar Services as noted in Section 3 for projects that have taken place within the past seven (7) years. Give priority to recent projects completed for California public entities. Include the names of the entity, a description of services provided, and the name of the contact person and telephone number at the entity. Also, indicate the Consultant's personnel that performed services for each entity.
- 4.4.12 **Attachment C, Hourly Rates:** Provide the hourly rates Consultant proposes to charge for all services utilizing **Attachment C** to this RFP. Do not change or edit this form. Rates must be fully loaded and include Overhead and Profit.
- 4.4.13 **Approach to Project Management:** Provide Consultant's philosophy and approach to project management.
- 4.4.14 **Acceptance of the Terms and Conditions:** On Attachment F, the Consultant must check the appropriate box and sign the form. If the Consultant marks the second box, it must provide the required additional materials. An "exception" includes any addition, deletion, or other modification. If exceptions are identified, the Consultant must also submit (i) a 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.

- 4.4.15 **DVBE Certification:** If Consultant intends to seek the Disabled Veteran Business Enterprise (DVBE) incentive pursuant to section 9 of this RFP, Consultant must provide with its Proposal proof of its DVBE Certification including, without limitation, a copy of Consultant's DVBE certification approval letter, Consultant's Department of General Services (DGS) Supplier ID Number, active dates of Consultant's DVBE Certification, and a signed certification of its status by Consultant's disabled veteran owners and managers.
- 4.4.16 **Additional Data:** Provide additional information about the Consultant as it may relate to Consultant's Proposal. Indicate ongoing commitment to professional education of staff, total number of permanent employees, and any other data that may assist the Judicial Council in understanding Consultant's qualifications and expertise.
- 4.4.17 **Consultant's Current Work Commitments:** Specify the current and projected workload of Consultant and describe Consultant's ability to complete the expected Services as anticipated herein.
- 4.4.18 **Conflicts of Interest:** If applicable, provide a statement of any recent, current, or anticipated contractual obligations that relate in any way to similar work, the Project, or the Judicial Council that may have a potential to conflict with Consultant's ability to provide the Services described herein to the Judicial Council. Consultants cannot submit, propose, bid, contract, sub-contract, consult, or have any other economic interests in the Project to which the Consultant may provide Services. The Consultant selected to provide the Services and any subsidiary, parent, holding company, or affiliate of the selected Consultant may not perform any construction work or submit a bid for the Project.
- 4.4.19 **Background Checks:** If the Consultant assigns persons (whether employees or Sub-Consultant employees) to provide Services under a Standard Agreement that requires that person to have access to any systems (whether on-site or by remote access) or access to the premises of the Judicial Council or other Judicial Branch Entities, the Judicial Council shall have the right, but not the obligation, to conduct a background check or to require the Consultant to conduct a background check, as permitted by law, on all such persons before the Judicial Council will grant such persons access. Any costs and expenses incurred to obtain background checks are the sole responsibility of the Consultant. For further information on the Judicial Council's background check policy, see Attachment L, Internal Background Check Policy.

5. SELECTION PROCESS

- 5.1. An evaluation panel composed of predominantly Judicial Council staff will review and score the Proposals, based on the selection criteria given in this RFP, and establish a shortlist of the highest scoring Proposals per region in Attachment B. Judicial Council will post the shortlist on the website publishing this RFP.
- 5.2. The Judicial Council will hold interviews with the Consultants that have been shortlisted. Consultants on the shortlist will be notified of their interview time and place. The Judicial Council will post the names of the selected Consultants on the website posting for this RFP.
- 5.3. After the interviews, the ranking of the Consultants according to the selection criteria will be adjusted and the highest-scoring Consultants will be contacted regarding contract execution. The names of the selected Consultants will be posted on the website posting for this RFP.
- 5.4. At any time, Judicial Council may contact previous clients and owners to verify the experience and performance of the prospective Consultant, their key personnel, and their sub-consultants.

6. EVALUATION OF PROPOSALS

- 6.1 Proposals will be evaluated on the basis of qualifications and hourly rates. The Judicial Council will evaluate and score the submitted Proposal according to the following criteria and with the following weights:

Points	Criteria	100 points maximum
10	1. Project Team Expertise Project team’s demonstrated experience with public works projects, including roles, individual experience and responsibilities, and demonstrated ability to work with Judicial Council staff in performing the Services.	
10	2. Statement of Services Consultant’s demonstrated understanding of the Services required to complete the Projects described in this RFP (See Section 3.2, Additional Services), and the Services that it may <u>exclude</u> from its Statement of Services.	
10	3. Reference Evaluation The Judicial Council will contact references provided by the Consultant to evaluate previous client satisfaction. See 4.4.9, Reference Checks, for additional details.	

Points	Criteria	100 points maximum
5	4. Consultant Information Consultant's history, including number of years in business and types of business conducted.	
10	5. Consultant's Prior Relevant Experience Past seven years of relevant experience of the prospective Consultant in the development of quality solutions for court buildings or similar program-intensive, public agency buildings; for non-project specific work, relevant experience in the evaluation of existing infrastructure, code compliance, design and/or planning solutions.	
40	6. Hourly Rates Hourly rates for the consultant services requested by this RFP, as provided in Attachment C.	
10	7. Approach Consultant's approach towards project management.	
5	8. DVBE Incentive Consultant will receive the DVBE incentive upon certification of its status as a DVBE, pursuant to Section 9; note that the DVBE incentive will only be awarded if the Consultant itself is a DVBE.	

7. ADDITIONAL REQUIREMENTS

7.1 Proposals may be sent by registered mail, certified mail, using the overnight courier of your choice, or by hand delivery. Incomplete proposals will be rejected without review. **Proposals received after the deadline date and time set forth in the schedule below will be rejected without review.**

7.2 Proposal submissions must be sent to:

Judicial Council of California
Attn: Mrs. Lenore Fraga-Roberts
455 Golden Gate Avenue, 6th Floor
San Francisco, CA 94102-3688

(Indicate the RFP Number and name of your organization in the lower-left corner of the outer packaging.)

7.3 If a Proposal is to be submitted by hand, it will only be considered a valid submission if it is received at the reception desk of the Judicial Council on the **6th floor of 455 Golden Gate Avenue, San Francisco, CA 94102** (Hours: 9:00 A.M. to 5:00 P.M.,

Judicial Council Business Days). Consultants are advised to obtain a handwritten receipt from the Judicial Council receptionist when submitting.

- 7.4 The Judicial Council does not issue communications confirming its receipt of Proposals and participants are asked to refrain from such requests. If you require a confirmation, please contact your delivery service.
- 7.5 The due date and time for submission of your proposals can be found in the most recent version of the RFP schedule posted to the California Courts' website (<http://www.courts.ca.gov/rfps.htm>) at which this RFP is posted. **Please keep abreast of changes to the RFP schedule by monitoring the website** throughout the duration of the proposal, evaluation, and award processes.
- 7.6 **Procurement Schedule and General Instructions. [Revised]**

7.6.1 The Judicial Council has developed the following list of key events from RFP issuance through performance start date. All deadlines are subject to change at the Judicial Council's discretion.

No.	Event	Key Date
1	Issue RFP	February 16th, 2018
2	Email Solicitations@jud.ca.gov with Intent from Bidder to Participate in Pre-Proposal Conference	February 23rd, 2018
3	Non-Mandatory Pre Proposal Telephone Conference, call 1-877-820-7831 / Passcode 109630.	February 27th, 2018 @ 10:00 PST
4	Deadline for Consultants' Requests for Clarifications, Modifications, or Questions	March 2nd, 2018
5	Clarifications, Modifications, and/or Answers to Questions posted on the Judicial Council Website	March 8th, 2018
6	Proposal Due Date and Time.	March 16th, 2018 @ 3pm PST
7	Oral Presentations / Interviews (Estimated)	June TBD, 2018
8	Notice of Intent to Award (Estimated)	August TBD, 2018
9	Notice of Award (Estimated)	August TBD, 2018
10	Full Performance Start Date	September TBD, 2018

8. CONTRACT TERMS AND ADMINISTRATIVE RULES

- 8.1 All submitted Proposals shall constitute and be an irrevocable offer by the Consultant that is valid for ninety (90) days following the Proposal due date. In the event a final

contract has not been awarded within this ninety (90) day period, the Judicial Council reserves the right to negotiate extensions to this period with Consultants. The Judicial Council may release all offers not selected under this RFP upon issuance of a Notice of Intent to Award.

- 8.2 Contracts with successful firms will be formed according to the Judicial Council Standard Agreement form posted with this RFP. The initial term of this contract will be for three (3) years, beginning August, 2018. One (1) subsequent two (2)-year extension may be offered at the discretion of the Judicial Council. Note that during a subsequent term, if any, rates shall be adjusted based on the California Bureau of Labor Statistics' Consumer Price Index increase for the preceding twelve (12) months prior to the increase becoming effective.
- 8.3 If a satisfactory contractual agreement has not been signed within 30 calendar days of provision of a contract draft, the Judicial Council reserves the right to terminate the award.
- 8.4 **Provision of the Work.** Work shall be provided in accordance with Service Work Orders to be issued by the Judicial Council under the Standard Agreement resulting from this procurement, and shall be subject to the provisions of the Standard Agreement accompanying this RFP, including any additional provisions specified in the Service Work Orders with regard to schedule, key personnel, and subcontractors.
- 8.5 **Compensation.** The method of compensation will vary on a Service Work Order-by-Service Work Order basis. See the Standard Agreement (Attachment E) posted with this RFP for details.

9. DISABLED VETERAN BUSINESS ENTERPRISE INCENTIVE

- 9.1 The Judicial Council has a Disabled Veterans Business Enterprise (DVBE) program with a total participation goal of three percent (3%).
- 9.2 Qualification for the DVBE incentive is not mandatory. Failure to qualify for the DVBE incentive will not render a Proposal non-responsive.
- 9.3 Consultants will receive a DVBE incentive if, in the Judicial Council's sole determination, Consultant has met all applicable requirements. If Consultant receives the DVBE incentive, a number of points will be added to the score assigned to the Consultant's Proposal. The number of points that will be added is specified in Section 6 above.
- 9.4 To receive the DVBE incentive, the Consultant itself must be a certified DVBE and provide the required certification of its status as a DVBE with its Proposal (i.e., by

submission of a copy of the Consultant's valid DVBE certification approval letter, etc.). Please note that the DVBE incentive will only be awarded to Consultants that can be verified as a certified DVBE. A non-DVBE Consultant, regardless of whether it intends to utilize DVBE sub-consultants, are not eligible for the DVBE incentive.

10. ADMINISTRATIVE RULES GOVERNING RFP

- 10.1 The Judicial Council's Administrative Rules governing this RFP can be found in Attachment A. By virtue of submission of a Proposal, the Consultant agrees to be bound by said Administrative Rules.

- 10.2 The Judicial Council reserves the right to reject any and all Proposals, in whole or in part, as well as the right to issue similar requests for proposals in the future. This RFP is in no way an agreement, obligation, or contract and in no way is the Judicial Council or the State of California responsible for the cost of preparation or any expenses incurred in responding to this RFP. One copy of a submitted Proposal will be retained for official files and becomes a public record.