

REQUEST FOR PROPOSALS

*SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN BERNARDINO*

**REGARDING:**

RFP 20-02 FLEXIBLE SPENDING ACCOUNTS

**PROPOSALS DUE:**

**JULY 30, 2019** NO LATER THAN **3:00 P.M.** PACIFIC TIME

***Amendment 1 - July 15, 2019***

1. **BACKGROUND INFORMATION**

USI Insurance Services (“USI”) is conducting a marketing survey on behalf of the Superior Court of California, County of San Bernardino (“Court”). Qualified persons or entities (hereinafter referred to as “Bidder” or “Bidders”) are invited to submit a proposal for the administration of Court employees’ flexible spending accounts with a January 1, 2020 effective date. Proposers are requested to submit rate guarantee(s) for three (3) years, one for the initial term, one for an option to renew in the second year, and same for the third year. The option to extend the contract in year 2 and 3 is exercisable at the sole discretion of the Court.

A copy of this solicitation will be posted on the following websites: [*https://caleprocure.ca.gov/pages/Events-BS3/event-search.aspx*](https://caleprocure.ca.gov/pages/Events-BS3/event-search.aspx)and [*http://www.sb-court.org/GeneralInfo/RequestforProposal.aspx*](http://www.sb-court.org/GeneralInfo/RequestforProposal.aspx).

1. **DESCRIPTION OF GOODS AND/OR SERVICES**
   1. Reference USIs cover letter dated July 10, 2019 and the following ~~documents~~ *~~to be provided to Bidders by USI~~*:
      1. *Exhibit D -* FSA RFP 20-02 Matrix – MUST COMPLETE
      2. *Exhibit C1 -* TASC *Summary and Guide*
      3. *Exhibit C2 -* TASC Agreement (includes current rate)
      4. *Deleted*
      5. The current benefit plan has a component for a flexible debit card as a payment option for participants to use for qualifying healthcare and dependent care expenses. Participants use this card to access their flexible spending account to pay for products and services through eligible providers and merchants. This is a necessary component for any plan submittal in response to this RFP.
2. **TIMELINE FOR THIS RFP (**All dates subject to change at the discretion of the Court)

| **EVENT** | **DATE** |
| --- | --- |
| RFP issued | July 12, 2019 |
| Deadline for questions | July 19, 2019  3:00 PM Pacific Time |
| Questions and answers posted | July 23, 2019 |
| **Latest date and time proposal may be submitted** | **July 30, 2019**  **3:00 PM Pacific Time** |
| Anticipated interview dates, if required *(estimate only)* | August 22, 2019 |
| Evaluation of proposals *(estimate only)* | Week of August 26, 2019 |
| Notice of Intent to Award *(estimate only)* | September 20, 2019 |
| Negotiations and execution of contract *(estimate only)* | October 1, 2019 |
| Contract start date *(estimate only)* | January 1, 2020 |
| Contract end date *(estimate only if all options exercised)* | December 31, 2022 |

1. **RFP ATTACHMENTS**

| **ATTACHMENT** | **DESCRIPTION** |
| --- | --- |
| Attachment 1 – Administrative Rules RFQs-IFBs-RFPs | These rules govern this solicitation. **Please read carefully.** |
| Attachment 2 – Services-Short Form Agreement Terms | If selected, the person or entity submitting a proposal must sign an agreement containing these terms and conditions. |
| Attachment 3 – Acceptance of Short Form Agreement Terms | Form to indicate Bidder’s acceptance of the terms and conditions. |
| Attachment 4 – General Certifications Form | Form to indicate Bidder’s agreement on required general certifications. |
| Attachment 5 – Good Standing Form | Form to indicate Bidder’s good standing. |
| Attachment 6 – Darfur Contracting Act Certification | Form for Bidder to certify Darfur Contracting Ace status. |
| Exhibit A – USI Marketing Letter | Information from USI for this RFP. |
| Exhibit B – Payment Provisions | Form containing information regarding payment terms and requirements to process invoices for payment. |
| *Exhibit C – TASC Summary and Guide* | *Current provider information.* |
| *Exhibit C2 – TASC Agreement* | *Current provider information.* |
| *Exhibit D - FSA RFP 20-02 Matrix* | *Spreadsheet to be completed by Bidder.* |

1. **PAYMENT INFORMATION**

See Exhibit B: Payment Provisions.

1. **PRE-PROPOSAL CONFERENCE**

A pre-bid conference is not scheduled for this solicitation. Questions are to be submitted per Attachment 1 Section 2 Questions Regarding the Solicitation.

1. **SUBMISSION OF PROPOSALS**
   1. Proposals should provide straightforward, concise information that satisfies the requirements of the “Proposal Contents” section below. Expensive bindings, color displays, and the like are not necessary or desired. Emphasis should be placed on conformity to the RFP’s instructions and requirements, and completeness and clarity of content.
   2. The Bidder must submit its proposal in two ways:
      1. The Bidder must submit **one (1) paper original** of the entire proposal in a sealed envelope or package. The original must be signed by an authorized representative of the Bidder. *The Bidder must write the RFP title and number on the outside of the sealed envelope.*
      2. The Bidder must submit **one (1) electronic version** of the entire proposal on USB Flash Drive. The files contained on the USB Flash Drive should be in PDF, Word, or Excel formats. *The Bidder must write the RFP title and number on the outside of the USB Flash Drive.*
   3. Proposals must be delivered by the date and time listed on the coversheet of this RFP to:

Superior Court of California, County of San Bernardino

Attn: Purchasing

247 West Third Street, 11th Floor

San Bernardino, CA 92415-0066

(909) 708-8747

* 1. Late proposals will not be accepted.
  2. Only written proposals will be accepted. Proposals must be sent by registered or certified mail, courier service (e.g. FedEx or UPS), or delivered by hand. Proposals may not be transmitted by fax or email. *The RFP title and number must be stated on the outside of the delivery envelope or package.*

1. **PROPOSAL CONTENTS**
   1. All information submitted in proposal must be clearly legible. The following information must be included in the proposal. A proposal lacking any of the following information may be deemed non-responsive:
      1. Bidder’s legal name, address, and telephone number.
      2. Name, title, address (if different), telephone number, and email address of the individual who will act as the Bidder’s designated representative for the purposes of this RFP.
      3. Names, addresses, and telephone numbers of a minimum of three (3) clients for whom the Bidder has conducted similar services. The Court may check references listed by the Bidder.
      4. Court Attachments 3-6.

Bidder must include the following properly completed attachments or exhibits:

* + - 1. Acceptance of Terms and Conditions
      2. General Certifications Form
      3. Good Standing Form
      4. Darfur Contracting Act Certification
    1. USI required attachments*: Exhibit D – FSA RFP 20-02 Matrix*
    2. Proposed plans and rates, including rate guarantee(s).

1. **OFFER PERIOD**

A Bidder’s proposal is an irrevocable offer for ninety (90) days following the proposal due date. In the event a final contract has not been awarded within this period, the Court reserves the right to negotiate extensions to this period.

1. **EVALUATION OF PROPOSALS**
   1. The Court will evaluate proposals as described in the Administrative Rules (Attachment 1) on a 100 point scale using the criteria set forth in the table below:

| **CRITERION** | **maximum number of points** |
| --- | --- |
| Quality of Plan | 60 Points |
| Cost | 30 Points |
| Acceptance of Terms and Conditions | 10 Points |

* 1. Award, if made, will be to the highest scored proposal. If a contract will be awarded, the Court will post a Notice of Intent to Award at <http://www.sb-court.org/GeneralInfo/RequestforProposal.aspx>.

1. **INTERVIEWS**

The Court may conduct interviews with one or more Bidders to clarify aspects set forth in their proposals or to assist in finalizing the ranking of top-ranked proposals. The interview process may require a demonstration. The interviews may be conducted in person or by phone. If conducted in person, interviews will likely be held at the Court’s offices in San Bernardino. The Court will not reimburse Bidders for any costs incurred in traveling to or from the interview location. USI will notify eligible Bidders regarding interview arrangements.

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1. **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**. The Court will not disclose (i) social security numbers, or (ii) balance sheets or income statements submitted by a Bidder that is not a publicly-traded corporation. All other information in proposals will be disclosed in response to applicable public records requests. Such disclosure will be made regardless of whether the proposal (or portions thereof) is marked “confidential,” “proprietary,” or otherwise, and regardless of any statement in the proposal (a) purporting to limit the Court’s right to disclose information in the proposal, or (b) requiring the Court to inform or obtain the consent of the Bidder prior to the disclosure of the proposal (or portions thereof). Any proposal that is password protected, or contains portions that are password protected, may be rejected. Bidders are accordingly cautioned not to include confidential, proprietary, or privileged information in proposals.

1. **DISABLED VETERAN BUSINESS ENTERPRISE INCENTIVE**

The Court’s DVBE participation goal is a minimum of 3% of the value of all Court contracts in any given fiscal year (July 1 thru June 30). To implement the DVBE program the Court may grant Bidders that provide DVBE participation a DVBE incentive. The Court DVBE incentive for procurements awarded to the lowest responsible Bidder may be initially 3%. The Court DVBE incentive for procurements awarded to the highest scoring Bidder may also initially be 3%. Any Bidder claiming the DVBE incentive for any procurement must submit the appropriate certifications as part of a complete bid package. The Court will not apply the DVBE incentive without the proper certifications on file.

1. **PROTESTS**

Any protests will be handled in accordance with Chapter 7 of the Judicial Branch Contract Manual (see www.courts.ca.gov/documents/jbcl-manual.pdf). Failure of a Bidder to comply with the protest procedures set forth in that chapter will render a protest inadequate and non-responsive, and will result in rejection of the protest. The deadline for the Court to receive a solicitation specifications protest is **two (2) days after Questions and Answers are posted**. Protests should be sent to:

Superior Court of California, County of San Bernardino

Attn: Steve Pascover, Advisory Attorney

247 West Third Street, 11th Floor

San Bernardino, CA 92415-0302

Throughout the review process, the court has no obligation to delay or otherwise postpone an award of contract based on a Bidder protest. In all cases, the court reserves the right to make an award when it is determined to be in the best interest of the court to do so.