

REQUEST FOR PROPOSALS

*SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN BERNARDINO*

**REGARDING:**

RFP 19-10 SAFETY AUDIT SERVICES

**PROPOSALS DUE:**

**FEBRUARY 22, 2019** NO LATER THAN **3:00 P.M.** PACIFIC TIME

1. **BACKGROUND INFORMATION**

The Superior Court of California, County of San Bernardino (“Court”) is seeking proposals from qualified persons or entities (hereinafter referred to as “Bidder” or “Bidders”) with expertise in providing safety consultation, corrective recommendations, and the delivery of final written plans, postings, and any other materials to ensure that, once the scope of work is fulfilled, the court will meet all compliance requirements set forth by Cal/OSHA as listed in title 8 of the California Code of Regulations, General Industry, subchapter 7, sections 3200-6184.

The type of award anticipated is Firm Fixed Price for a term of one (1) year. 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. **SERVICES.**
      1. Provide technical assistance on health and safety issues equal to or exceeding the Cal/OSHA Consultation Service with the objective of the Court meeting or exceeding Cal/OSHA inspection requirements for safety program and facility safety compliance.
      2. Provide all constructive and corrective recommendations for any hazards, non-compliant items, the Court’s current written safety program, and general safety compliance for all court facilities, including high rises, office spaces, warehouses, storage, equipment, powered equipment, exterior facilities, etc., where employee safety is exposed.
      3. Provide analysis of Court’s Safety Program and Court’s Injury and Illness Program, and their relationship to Court’s Security and Emergency programs.
      4. Provide updated Injury and Illness Prevention plan, any created applicable hazard communication plans, any other written emergency plans, and training materials.
      5. Conduct on-site inspection of all Court facilities listed below, including court occupied spaces of multi -agency, agency co-shared facilities:
         1. Barstow Court Facility
         2. Big Bear Court Facility
         3. Fontana Court Facility
         4. Joshua Tree Court Facility
         5. Needles Court Facility
         6. Rancho Cucamonga Court Facility
         7. San Bernardino Child Support Court Facility
         8. San Bernardino Historic Court Facility
         9. San Bernardino Juvenile Delinquency Court Facility
         10. San Bernardino Juvenile Dependency Court Facility
         11. San Bernardino Records and Facilities warehouse complex
         12. Victorville Court Facility
   2. **DELIVERABLES.**
      1. Constructive and corrective recommendations report.
      2. Analysis report of Court’s Safety Program and Court’s Injury and Illness Program, and their relationship to Court’s Security and Emergency programs.
      3. Updated Court Injury and Illness Prevention Plan.
      4. On-site inspection report that provides list of violations and any other correctible items with tiered recommendations for corrections based on effectiveness and cost.
      5. All required postings for all Court facilities types as required by the facility type.
      6. Report summarizing all outstanding recommendations remaining for the Court to be fully compliant of Cal/OSHA standards as listed in title 8 of the California Code of Regulations, General Industry, subchapter 7, sections 3200-6184.
      7. Recommendation report for security related items impacting employee safety such as workplace violence training and other training.
      8. Auditing procedure for the Court.
      9. Other reports as determined during contract period.

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1. **TIMELINE FOR THIS RFP**

The Court has developed the following list of key events related to this RFP. All dates are subject to change at the discretion of the Court.

| **EVENT** | **DATE** |
| --- | --- |
| RFP issued**:** | January 29, 2019 |
| Deadline for questions | February 4, 2019  *3:00 PM Pacific Time* |
| Questions and answers posted | February 7, 2019 |
| **Latest date and time proposal may be submitted** | **February 22, 2019**  ***3:00 PM Pacific Time*** |
| Anticipated interview dates, if required (*estimate only*) | Week of  February 25, 2019 |
| Evaluation of proposals (*estimate only*) | Week of  March 4, 2019 |
| Notice of Intent to Award (*estimate only*) | March 11, 2019 |
| Negotiations and execution of contract (*estimate only*) | March 29, 2019 |
| Contract start date (*estimate only*) | April 1, 2019 |
| Contract end date (*estimate only if all options exercised*) | March 31, 2020 |

1. **RFP ATTACHMENTS**

| **ATTACHMENT** | **DESCRIPTION** |
| --- | --- |
| Attachment 1 - Administrative Rules RFQs-IFBs-RFPs | These rules govern this solicitation. **Please read carefully.** |
| Attachment 2 – General Terms and Conditions/Defined Terms | If selected, the person or entity submitting a proposal must sign an agreement containing these terms and conditions. |
| Attachment 3 – Acceptance of Terms and Conditions | 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 Act status. |
| Exhibit A: Payment Provisions | This form contains information regarding contemplated payment terms and requirements to process invoices for payment. |

1. **PAYMENT INFORMATION**

See Exhibit A: Payment Provisions.

1. **PRE-PROPOSAL CONFERENCE**

None required.

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 parts, the non-cost portion and the cost portion:
      1. The Bidder must submit **one (1) paper original** of the non-cost portion of the proposal. The original must be signed by an authorized representative of the Bidder. The original non-cost portion of the proposal (and the copies thereof) must be submitted to the Court in a single sealed envelope, separate from the cost portion. *The Bidder must write “non-cost” and the RFP title and number on the outside of the sealed envelope.*
      2. The Bidder must submit **one (1) paper original** of the cost portion of the proposal. The original must be signed by an authorized representative of the Bidder. The original cost portion of the proposal (and the copies thereof) must be submitted to the Court in a single sealed envelope, separate from the non-cost portion. *The Bidder must write “cost” and the RFP title and number on the outside of the sealed envelope.*
         1. The Bidder must submit **an electronic version of the entire proposal** on CD-ROM or USB Flash Drive with the cost portion. The files contained on the CD-ROM or USD Flash Drive should be in PDF, Word, or Excel formats.
   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**

All information submitted in proposal must be clearly legible.

* 1. Non-cost Portion. The following information must be included in the non-cost portion of 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. For each key staff member: a resume describing the individual’s background and experience, as well as the individual’s ability and experience in conducting the proposed activities.
     4. 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.
     5. Proposed method to complete the work (e.g. approach and methods).
     6. 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. Cost Portion. The following information must be included in the cost portion of the proposal:
     1. A firm fixed price for each deliverable.
     2. A full explanation of all budget line items in a narrative entitled “Budget Justification.”
     3. Bidder must include a “Not To Exceed” amount for all work and expenses payable under the contract, if awarded.

1. **OFFER PERIOD**

A Bidder’s proposal is an irrevocable offer for ninety (90) days following the proposal due date. In the even 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 proposed services | 25 Points |
| Approach and methods | 20 Points |
| Experience on similar assignments/client references | 15 Points |
| Acceptance of the Court’s terms and conditions | 10 Points |
| Cost | 30 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 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 interview may also require a demonstration of equivalence if a brand name is included in the specifications. The interviews may be conducted in person or by phone. If conducted in person, interviews will likely be held at the Court’s offices. The Court will not reimburse Bidders for any costs incurred in traveling to or from the interview location. The Court 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/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 **the proposal due date and time**. 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.