



REQUEST FOR PROPOSALS

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN BERNARDINO

REGARDING:

RFP 20-13 Custodial Services for the Courts Records Center, Historic and San Bernardino Justice Center buildings

PROPOSALS DUE:

FEBRUARY 24, 2020 NO LATER THAN 3:00 P.M. PACIFIC TIME

Amendment 1, January 28, 2020

1.0 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 general custodial services at three court locations. Bidder must be skilled and qualified to service LEED Green Certified buildings. The three court locations are:

San Bernardino Justice Center – This eleven story building is located at 247 W. Third Street in downtown San Bernardino. The building is approximately 383,000 square feet and is certified LEED Gold by the U.S. Green Building Council.

Historic Courthouse and Annex Building – This building is located at 351 N. Arrowhead in downtown San Bernardino. The Historic Courthouse was renovated in 2011. The Historic Building is approximately 70,716 square feet and 3 levels tall. The Annex area is approximately 9,310 square feet and is 4 levels tall. The two buildings are not LEED certified.

Optional Location: Courts Records Center – This location is located at 770, 780 & 790 Gifford St., in San Bernardino, CA. The buildings are warehouses with office spaces and have approximately 6,750 square feet of cleaning area.

The type of award anticipated is Firm Fixed Price for an initial term of one (1) year with two (2) consecutive one (1) year options to extend 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> and <http://www.sb-court.org/GeneralInfo/RequestforProposal.aspx>.

2.0 DESCRIPTION OF GOODS AND/OR SERVICES

The Court seeks daytime general janitorial/custodial services meeting the specifications set forth in the attached statements of work incorporated herein and made a part hereof by this reference:

- Exhibit A – Statement of Work for SBJC and Historic Buildings
- Exhibit B –Statement of Work for Records Center
- Exhibit C- Maintenance Manual for Stone Surfaces
- Exhibit D – Low Environmental Impact Cleaning and Equipment Policy
- Exhibit E – Milliken Carpet Care
- Exhibit F – Ceramic Tile Routine Care

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3.0 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 27, 2020
MANDATORY Pre-proposal Conference (<i>amended</i>)	January 31, 2020 <i>6:00 AM Pacific Time</i>
Deadline for questions	February 5, 2020 <i>3:00 PM Pacific Time</i>
Questions and answers posted	February 10, 2020
Latest date and time proposal may be submitted	February 24, 2020 <i>3:00 PM Pacific Time</i>
Evaluation of proposals (<i>estimate only</i>)	Week of March 2, 2020
Notice of Intent to Award (<i>estimate only</i>)	March 6, 2020
Contract start date (<i>estimate only</i>)	May 1, 2020
Contract end date (<i>estimate only if all options exercised</i>)	April 30, 2023

4.0 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 – Iran Contracting Act Certification	Form for Bidder to certify Iran Contracting Act status.
Attachment 7 – Darfur Contracting Act Certification	Form for Bidder to certify Darfur Contracting Act status.
Attachment 8 – Unruh Civil Rights Act and California Fair Employment and Housing Act Certification	Form for Bidder to certify Unruh Civil Rights Act and California Fair Employment and Housing Act compliance.
Attachment 9 – Postconsumer Content	Post-consumer Content - The State Agency Buy Recycled Campaign (SABRC) is a

ATTACHMENT	DESCRIPTION
	state mandated program that requires the reporting of all purchases made within 11 specified product categories. All businesses shall certify in writing to the contracting officer or his or her representative the minimum percentage, if not exact percentage, of postconsumer recycled-content (PCRC) material in the products, materials, goods, or supplies offered or sold to the State regardless of whether the product meets the minimum content requirements specified in law.
Attachment 10 – Payee Data Record Form	This form contains information the Court requires in order to process payments and must be submitted with the proposal.
Attachment 11– Payment Provisions	Payment provisions that govern this solicitation.
Exhibit A: Statement of Work	San Bernardino Justice Center & Historic Courthouse
Exhibit B: Statement of Work	Court Records Center
Exhibit C: Maintenance Manual	Maintenance Manual for Stone Surfaces
Exhibit D: Low Environmental Impact Cleaning and Equipment Policy	Use of chemicals and equipment for LEED-EB/NC standards.
Exhibit E: Carpet Care	Milliken Carpet Care – Effective Daily Maintenance.
Exhibit F: Ceramic Tile Routine Care	Dal-Tile Care and Maintenance Information.
Exhibit G: Bidders Pricing Sheet	For use by Proposer in submitting pricing in addition to the requirements set forth in paragraph 8.0. <i>Note: There are no embedded formulas in this spread sheet. (amended)</i>

5.0 PAYMENT INFORMATION

The type of award contemplated herein is Firm Fixed Price (FFP) therefore the following will apply:

- Progress or advance payments are not allowed under this solicitation,
- Travel and per diem expenses are not allowed under this solicitation.

The Court is not responsible for any travel expenses, including but not limited to mileage and lodging that the Bidder may incur during the performance of the resulting contract.

6.0 MANDATORY PRE-PROPOSAL CONFERENCE (*AMENDED*)

The Court will hold a pre-bid conference on the date and at the time identified in the timeline above. **The pre-bid conference will convene at 6:00 A.M. on January 31, 2020 the front of the San Bernardino Justice Center located at:**

247 W. 3rd St., San Bernardino, CA 92415

Immediately following this conference there will be a mandatory visit to the other sites.

351 N. Arrowhead Ave., San Bernardino, CA 92415

790 South Gifford St., San Bernardino, CA 92415

- 6.1. Attendance at the pre-bid conference is **MANDATORY**. Each Bidder must be certain to check in at the pre-bid conference, as the attendance list will be used to ascertain compliance with this requirement. The Court will reject a bid from any Bidder who did not attend the pre-bid conference.

7.0 SUBMISSION OF PROPOSALS

- 7.1. 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.
- 7.2. The Bidder must submit its proposal in two parts, the non-cost portion and the cost portion:
- 7.2.1. 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 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.*
- 7.2.2. 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 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.*
- 7.2.2.1. The Bidder must submit **an electronic version of the entire proposal** on USB Flash Drive with the cost portion. The files

contained on USB Flash Drive should be in PDF, Word, or Excel formats.

- 7.3.** 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

- 7.4.** Late proposals will not be accepted.

- 7.5.** 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.*

8.0 PROPOSAL CONTENTS

All information submitted in proposal must be clearly legible.

- 8.1.** 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:
- A. Bidder's name, address, telephone and fax numbers, and federal tax identification number. Note that if Bidder is a sole proprietor using his or her social security number, the social security number will be required before finalizing a contract.
 - B. Name, title, address, telephone number, and email address of the individual who will act as Bidder's designated representative for purposes of this RFP.
 - C. Model number(s), specifications, or other description of the services Bidder proposes to supply to the Court, including warranty information.
 - D. Names, addresses, and telephone numbers of a minimum of three (3) clients for whom the Bidder has provided similar services. The Court may check references listed by Bidder.
 - E. Acceptance of the Terms and Conditions.
 - i. On Attachment 3, the Bidder must either indicate acceptance of the Terms and Conditions or clearly identify exceptions to the Terms

and Conditions. An “exception” includes any addition, deletion, or other modification.

- ii. If exceptions are identified, the Bidder must also submit a red-lined version of the Terms and Conditions that clearly tracks proposed changes, and a written explanation or rationale for each exception and/or proposed change. Electronic version must be in Word format.
- iii. **Note: A material exception to the Terms and Conditions (addition, deletion, or other modification) will render a bid non-responsive.**

F. Certifications, Attachments, and other requirements.

- i. Bidder must include the following certification in its bid:
Bidder has no interest that would constitute a conflict of interest under California Public Contract Code sections 10365.5, 10410 or 10411; Government Code sections 1090 et seq. or 87100 et seq.; or rule 10.103 or rule 10.104 of the California Rules of Court, which restrict employees and former employees from contracting with judicial branch entities.
- ii. Bidder must submit with its bid, for itself and each of its affiliates that make sales for delivery into California, a copy of either (a) a California seller's permit issued under Revenue and Taxation Code section 6066 et seq. or (b) a certificate of registration issued under Revenue and Taxation Code section 6226.
- iii. Proposer must complete the Iran Contracting Act Certification (Attachment 6) and submit the completed certification with its proposal.
- iv. Bidder must complete the Darfur Contracting Act Certification (Attachment 7) and submit the completed certification with its bid.
- v. Proposer must complete the Unruh Civil Rights Act and California Fair Employment and Housing Act Certification (Attachment 8) and submit the complete certification with its proposal.
- iv. If Bidder is a corporation, limited liability company, or limited partnership, proof that Bidder is in good standing and qualified to conduct business in California.

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8.2. Cost Portion. The following information must be included in the cost portion of the proposal:

- A. Completed Exhibit G: Bidders Pricing Sheet. (*amended*)**
- B.** The cost per square foot and total cost for the services described in the non-cost information and per the Exhibits A and B - Statement(s) of Work.
- C.** Proposer must account for all applicable state mandated minimum wage increases through year 2023 in its cost proposal and may find information at http://www.dir.ca.gov/dlse/FAQ_MinimumWage.htm.
- D.** Include optional pricing for the following:
 - i. Carpet Shampooing/Cleaning
 - 1. Sq. Ft. Pricing that includes pre-vacuum, pre-spot cleaning, shampooing and application of odor control.
 - ii. VCT Floor Cleaning
 - 1. Sq. Ft. Pricing that includes strip, scrub and wax application
 - iii. Window Cleaning
 - iv. Interior and exterior window cleaning for 770, 780 and 790 buildings

NOTE: It is unlawful for any person engaged in business within this state to sell or use any article or product as a “loss leader” as defined in Section 17030 of the Business and Professions Code.

9.0 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.

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10.0 EVALUATION OF PROPOSALS

10.1. 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
Experience on similar assignments LEED	25 Points
Cost	30 Points
Acceptance of the Court's terms and conditions	10 Points
Ability to meet timing requirements to begin services by 5/1/20	15 Points
Customer References	20 Points

10.2. 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>.

11.0 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.

12.0 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.

13.0 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.

14.0 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.

15.0 CANCELLATION OF SOLICITATION

The Court may cancel this solicitation at any time in accordance with the Judicial Branch Contracting Manual (JBCM) 4.4.B, which states in part "*Before a Bid Closing Date, the JBE (Judicial Branch Entity) may cancel a solicitation for any or no reason. After the Bid Closing Date, all bids may be rejected if the JBE determines that:*

- *The Bids received are not really competitive,*
- *The cost is unreasonable,*
- *The cost exceeds the amount expected; or*
- *The JBE determines otherwise that awarding the contract is not in the best interest of the JBE.*