

# REQUEST FOR PROPOSALS

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*SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN BENITO*

**REGARDING:**

*JANITORIAL SERVICES, RFP # JS2021*

**PROPOSALS DUE:**

**JANUARY 11, 2021** NO LATER THAN **3:00** P.M. PACIFIC TIME

## 1.0 BACKGROUND INFORMATION

- 1.1 The Court occupies a facility located at 450 Fourth Street in Hollister, California (“Courthouse”). The Courthouse is a two-story building, completed in 2014, that is normally open to the public Monday through Friday (except holidays) from 8:00 a.m. to 4:00 p.m. The Courthouse is approximately 41,500 square feet, but numerous areas within the Courthouse (such as mechanical, technical, and storage rooms) are outside of the janitorial service area. The Courthouse features several areas that require specialized maintenance due to public use (e.g. courtrooms) or materials.
- 1.2 The Court requires a person or entity to provide janitorial services, beginning when the agreement with the current vendor expires on March 11, 2021.

## 2.0 DESCRIPTION OF SERVICES AND DELIVERABLES

The Court seeks the services of a person or entity with expertise in the provision of janitorial services in a Leadership in Energy and Environmental Design (“LEED”) SILVER certified building.

The selected proposer will provide janitorial services in the Courthouse, excluding certain “No Service Areas.” **A specific description of the services to be provided, and the frequency thereof, is included in Appendix A of the contract included as Attachment 4 to this RFP (“Contract”). Note that the stated frequency of services is a minimum requirement, not a guideline.**

The selected proposer will provide janitorial services from March 12, 2021 to March 11, 2022 with two (2) one-year renewal terms solely at the Court’s option.

The selected proposer will be required to have commercial general liability insurance, commercial automobile liability insurance, workers compensation/employer’s liability insurance (if applicable), and commercial crime insurance. **The selected proposer must deliver to the Court, within three (3) business days of the posting of the Notice of Intent to Award, certificates of insurance and signed insurance policy endorsements, on forms acceptable to the Court, as evidence that the required insurance is in effect.** If the selected proposer fails to deliver these materials in the specified time period, the Court may rescind the Notice of Intent to Award and award the contract to the next qualified proposer. See Exhibit C, section 2 of the Contract for more information, including minimum policy values.

If applicable, the selected vendor will be required to comply with the provisions of the Displaced Janitor Opportunity Act (Labor Code section 1060 et seq.), including the 60-day transition employment period.

## 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   |
|--|--|
| Site visits  | <p><b><i>attendance at one site visit is MANDATORY</i></b></p> <p><b>Monday, October 26, 2020 at 1:30 p.m.</b><br/> <b>Monday, November 2, 2020 at 1:30 p.m.</b><br/> <b>Monday, November 16, 2020 at 1:30 p.m.</b></p> <p><b><i>registration required</i></b></p> |
| Deadline for questions                               | <b>Friday, December 11, 2020 at 3:00 p.m.</b>  |
| Questions and answers posted                         | <b>Friday, December 18, 2020</b>   |
| Latest date and time proposal may be submitted       | <b>Monday, January 11, 2021 at 3:00 pm</b>   |
| Anticipated interview dates ( <i>estimate only</i> ) | <b>January 19 - 22, 2021</b>   |
| Evaluation of proposals ( <i>estimate only</i> )     | <b>January 25 - 29, 2021</b>   |
| Notice of Intent to Award ( <i>estimate only</i> )   | <b>Friday, January 29, 2021</b>  |
| Execution of contract ( <i>estimate only</i> )       | <p><b>February 1 - 5, 2021</b></p> <p><b><i>contingent upon the selected proposer providing insurance certificates/endorsements</i></b></p>  |
| Contract start date                                  | <b>March 12, 2021</b>  |
| Contract end date                                    | <p><b>March 11, 2022</b><br/> (with 2 one-year renewal terms exercisable at the Court's option)</p>  |

#### 4.0 RFP ATTACHMENTS

The following attachments are included as part of this RFP:

| ATTACHMENT  | DESCRIPTION  |
|---|--|
| Attachment 1: Proposal  | The person or entity submitting a proposal (the "Proposer") must complete and submit the Proposal.   |
| Attachment 2: Administrative Rules Governing RFPs (Non-IT Services) | These rules govern this solicitation.  |
| Attachment 3: DVBE Forms  | <b>Optional.</b> Completion of these two forms is required only if the Proposer wishes to claim the disabled veteran business enterprise ("DVBE") incentive. See section 12.0 below. |
| Attachment 4: Contract  | If selected, the Proposer must sign this Contract.   |

## 5.0 PAYMENT INFORMATION

The Court will pay a flat rate for all work performed pursuant to the Contract, except that the Court will pay an additional amount for emergency services provided outside of normal business hours.

In Part 7 of the Proposal, Proposers must submit a flat rate amount for the initial term (March 12, 2021 - March 11, 2022), and an hourly rate for emergency services. If the Court exercises one or more renewal terms, the flat rate and hourly rate for emergency services shall remain effective for the renewal terms.

The Court will not reimburse any expenses.

See Appendix B of the Contract for more information about payment.

**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.

## 6.0 COMPLETION OF PROPOSALS

- 6.1 The Proposal must be fully completed and signed. The signature must be from an authorized representative of the Proposer.
- 6.2 A Proposal may be deemed non-responsive and rejected if it is lacking any required information or signature.

## 7.0 SUBMISSION OF PROPOSALS

- 7.1 The Proposer must submit the completed and signed Proposal to the Court in a sealed envelope.

If Proposer wishes to claim the DVBE incentive, it must enclose the completed and signed DVBE forms in this same envelope. If Proposer does not wish to claim the DVBE incentive, it does not need to complete or return the DVBE forms.

The Proposer must write the RFP title and number on the outside of the sealed envelope.

- 7.2 Complete Proposals must be delivered by the date and time listed on the coversheet of this RFP to:

Superior Court of California, County of San Benito  
ATTN: Gil Solorio  
450 Fourth Street  
Hollister, CA 95023

- 7.3 Late Proposals will not be accepted. The Court is not responsible for any delays in delivery.

- 7.4 Only written proposals will be accepted. Proposals must be sent by registered or certified mail, courier service (e.g. FedEx), or delivered by hand. Proposals may not be transmitted by fax or email.

## 8.0 OFFER PERIOD

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

## 9.0 EVALUATION OF PROPOSALS

At the time proposals are opened, each proposal will be checked for the presence or absence of the required proposal contents. If a proposal is missing any of the required proposal contents, the Court may reject the proposal.

The Court will evaluate complete proposals on a 100-point scale using the criteria set forth in the table below. Award, if made, will be to the highest-scored proposal.

If a contract will be awarded, the Court will post an intent to award notice on its website at [www.sanbenito.courts.ca.gov](http://www.sanbenito.courts.ca.gov).

| CRITERION  | MAXIMUM NUMBER OF POINTS |
|--|--------------------------|
| Experience on similar assignments                      | 20                       |
| Reasonableness of budget                               | 20                       |
| Cost   | 30                       |
| Experience of staff to be assigned to the project      | 15                       |
| Acceptance of the terms and conditions in the Contract | 10                       |

| CRITERION      | MAXIMUM NUMBER OF POINTS |
|----------------|--------------------------|
| DVBE incentive | 5                        |

## 10.0 SITE VISITS, INTERVIEWS, AND FURTHER INFORMATION

The Court will hold site visits on the dates identified in the timeline above. Attendance at one of the site visits is **MANDATORY**. Each Proposer must be certain to check in at the site visit, as the attendance list will be used to ascertain compliance with this requirement. The Court may reject a proposal from any Proposer who did not attend a site visit.

Proposer must register in advance for a site visit by sending an email to Maria Alfaro at [Maria.Alfaro@sanbenito.courts.ca.gov](mailto:Maria.Alfaro@sanbenito.courts.ca.gov).

On the day of the site visit, Proposers will meet at the entrance to the Courthouse at the specified time.

The Court may conduct interviews with Proposers to clarify aspects of their proposals or to assist in finalizing the ranking of top-ranked proposals. The interviews may be conducted in person or by phone. If conducted in person, interviews will likely be held at the Courthouse. At its option, the Court may decide not to conduct interviews with Proposers. The Court will not reimburse Proposers for any costs incurred in traveling to or from the site visit or the interview. The Court will notify eligible Proposers regarding interview arrangements.

The Court reserves the right to ask for further information from the Proposer, either in writing or verbally.

## 11.0 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 Proposer 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 Proposer 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. Proposers are accordingly cautioned not to include confidential, proprietary, or privileged information in proposals.

## 12.0 DISABLED VETERAN BUSINESS ENTERPRISE INCENTIVE

Qualification for the DVBE incentive is not mandatory. Failure to qualify for the DVBE incentive will not render a proposal non-responsive.

Eligibility for and application of the DVBE incentive is governed by the Court's DVBE Rules and Procedures. Proposer will receive a DVBE incentive if, in the Court'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 9.0 above.

To receive the DVBE incentive, at least 5% of the contract goods and/or services must be provided by a DVBE performing a commercially useful function. Because this solicitation is for non-IT services, a Proposer may not qualify for the DVBE incentive using a DVBE Business Utilization Plan.

If Proposer wishes to seek the DVBE incentive:

1. Proposer must complete and submit with its proposal the Bidder Declaration (included as part of Attachment 3 to this RFP). Proposer must submit with the Bidder Declaration all materials required in the Bidder Declaration.
2. Proposer must submit with its proposal a DVBE Declaration (also included as part of Attachment 3) 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.

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

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 Court 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 MISREPRESENTATION 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.**

### **13.0 PROTESTS**

Any protests will be handled in accordance with Chapter 7 of the Judicial Branch Contracting Manual (see [www.courts.ca.gov/documents/jbcl-manual.pdf](http://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 the Court to receive a solicitation specifications protest is January 2, 2021. Protests must be sent to:

Superior Court of California, County of San Benito  
ATTN: Nancy Iler

RFP Title: Janitorial Services  
RFP Number: JS2021

450 Fourth Street  
Hollister, CA 95023