

# REQUEST FOR PROPOSALS

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**SUPERIOR COURT OF CALIFORNIA  
COUNTY OF STANISLAUS**

**REGARDING: RFP 15165004  
JANITORIAL SERVICES**

**PROPOSALS DUE:**

*June 10, 2016* NO LATER THAN 4:00 P.M. PACIFIC TIME

## **1.0 BACKGROUND INFORMATION**

- 1.1 The Superior Court of California, County of Stanislaus (Court) is issuing this Request for Proposal (RFP) to provide the court with competitive bids for janitorial services our Main Courthouse, Juvenile, Traffic, Turlock and Department 26 court facilities.
- 1.2 The Court is requesting proposals from qualified proposers with expertise in providing janitorial services to large organizations.

## **2.0 DESCRIPTION OF SERVICES AND DELIVERABLES**

- 2.1 The Court seeks the services of a person or entity with professional expertise and workmanship in janitorial/custodial services and able to comply with all the requirements, terms, and conditions as stated in this Request for Proposal.
- 2.2 Licenses/Compliance with Law:
- A. Vendor shall ensure that it has all the necessary licenses and permits required by Federal, State, County and municipal laws, rules and regulations. The vendor shall maintain these licenses and permits in effect for the duration of this contract. Vendor will notify the Court immediately upon loss or suspension of any such licenses and permits. Failure to maintain all required licenses or permits may result in immediate termination of this contract.
  - B. The Vendor shall strictly adhere to the applicable provisions of the Labor Code and Federal, State and County laws, ordinances, rules and regulations regarding the employment of apprentices; minimum wages; payment of wages; retention and inspection of payroll records; workers compensation; alien labor; the 8 hour day; overtime; Saturday, Sunday and holiday work; and non-discrimination because of race, color, national origin, physical handicap, sex or religion, including the provisions of Executive Orders 11246, 11375, 11625, 12138, 12432, 12250, Title VII of the Civil Rights Act of 1964, the California Fair Employment Practice Act.
  - C. The Vendor agrees to comply with all provisions of the Displaced Janitor Opportunity Act (California Labor Code section 1060 et seq.)

- 2.3 Statement of Work:

See Attachment 9 "Statement of Work".

## **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	May 9, 2016
Mandatory Walk Thru	May 19, 2016 1:30 p.m.
Pre-Proposal Conference	May 19, 2016 – Immediately following walk-thru
Deadline for questions	June 3, 2016 – 4:00 P.M. PST
Questions and answers posted	June 7, 2016
Latest date and time proposal may be submitted	June 10, 2016 4:00 P.M.
Evaluation of proposals ( <i>estimate only</i> )	June 14, 2016
Notice of Intent to Award ( <i>estimate only</i> )	June 20, 2016
Negotiations and execution of contract ( <i>estimate only</i> )	June 27, 2016
Contract start date ( <i>estimate only</i> )	September 1, 2016
Contract end date ( <i>estimate only</i> )	August 31, 2017 (May have options to renew)

#### 4.0 RFP ATTACHMENTS

The following attachments are included as part of this RFP:

ATTACHMENT	DESCRIPTION
Attachment 1: Administrative Rules Governing RFPs (Non-IT Services)	These rules govern this solicitation. If an inconsistency or conflict arises between the administrative rules in Attachment 1 and this document, any inconsistency or conflict will be resolved by giving precedence to the administrative rules in Attachment 1. <b>This form is not required to be returned.</b>
Attachment 2: Court Standard Form Agreement – including Terms and Conditions	If selected, the person or entity submitting a proposal (the “Proposer”) must sign this Court Standard Form Agreement. <b>This form is not required to be returned.</b>  In addition, proposer must review and indicate acceptance of the Terms and Conditions noted within this Agreement.

Attachment 3: Supplemental Terms and Conditions	Proposer must review and indicate acceptance of these Supplemental Terms and Conditions.
Attachment 4: Proposer's Acceptance of Terms and Conditions	On this form, the Proposer must indicate acceptance of the Terms and Conditions or identify exceptions to the Terms and Conditions. <b>Note: A material exception to the Terms and Conditions (addition, deletion, or other modification) will render a bid non-responsive.</b>
Attachment 5: General Certifications Form	The Proposer must complete the General Certifications Form and submit the completed form with its proposal.
Attachment 6: Client References	Identify three (3) clients, other than the Court, serviced within the past five (5) years that can confirm their satisfaction with the bidder's services. If possible, identify clients whose needs were similar in scope and nature to the services sought in this RFP. List the most recent first.
Attachment 7: Darfur Contracting Act Certification	The Proposer must complete the Darfur Contracting Act Certification and submit the completed certification with its proposal.
Attachment 8: Payee Data Record Form	This form contains information the Court requires in order to process payments and must be submitted with the proposal.
Attachment 9: Statement of Work	Attachment 9 describes the work requirements. This is also Appendix A of the Standard Agreement.
Attachment 10: Example of Certified Payroll	Attachment 10 is a sample of a certified payroll.

The following items need to be submitted with your proposal:

Business License	All businesses <u>must</u> submit a copy of a current business license issued by the governmental jurisdiction in which the business is located.  Submit an explanation if this documentation cannot be supplied or there is a reason to believe no license is required
Proof of Corporation Status <b>(Corporations Only)</b>	Corporations must either submit a copy of the bidding firm's most current Certificate of Status issued by the State of California, Office of the Secretary of State <b>or</b> submit a downloadable copy of the bidding firm's on-line status information from the California Business Portal website of California's Office of the Secretary of State.

## 5.0 PAYMENT INFORMATION

See payment provisions in Attachment 2, Appendix B.

## 6.0 MANDATORY WALK-THRU AND PRE-PROPOSAL CONFERENCE

The Court will hold both a facility walk-thru and a pre-proposal conference on the date identified in the timeline above. The pre-proposal conference will be held at the Court's offices at 800 11<sup>th</sup> St., Modesto, CA.

Attendance at the walk-thru and pre-proposal conference is **MANDATORY**. Each Proposer must be certain to check in at the walk-thru as the attendance list will be used to ascertain compliance with this requirement. The pre-proposal conference will follow immediately after the walk-thru. The Court will reject a proposal from any Proposer who did not attend the mandatory walk- thru and pre-proposal conference.

## 7.0 SUBMISSIONS 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 Proposer must submit its proposal in two parts, the technical proposal and the cost proposal.
  - a. The Proposer must submit **one (1) original and three (3) copies** of the technical proposal. The original must be signed by an authorized representative of the Proposer. The original technical proposal (and the copies thereof) must be submitted to the Court in a single sealed envelope, separate from the cost proposal. The Proposer must write the RFP title and number on the outside of the sealed envelope and indicate that it is the technical proposal.
  - b. The Proposer must submit **one (1) original and three (3) copies** of the cost proposal. The original must be signed by an authorized representative of the Proposer. The original cost proposal (and the copies thereof) must be submitted to the Court in a single sealed envelope, **separate from the technical proposal**. The Proposer must write the RFP title and number on the outside of the sealed envelope.
  - c. The Proposer must submit an electronic version of the entire proposal on CD-ROM or USB memory stick/flash drive. The files must 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:

**Cost Proposal:**

**RFP 1516004-Janitorial Services– COST PROPOSAL**

**(DO NOT OPEN)**

Attn: Fiscal Services  
800 11<sup>th</sup> Street, Room 100  
Modesto, CA 95354

**Technical Proposal:**

**RFP 1516004-Janitorial Services – TECHNICAL PROPOSAL**

**(DO NOT OPEN)**

Attn: Fiscal Services  
800 11<sup>th</sup> Street, Room 100

- 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 delivered by hand. Proposals may not be transmitted by fax or email.

**8.0 PROPOSAL CONTENTS**

8.1 Technical Proposal. The following information must be included in the technical proposal. A proposal lacking any of the following information may be deemed non-responsive.

- a. The Proposer's name, address, telephone and fax numbers, and federal tax identification number. Note that if the Proposer is a sole proprietor using his or her social security number, the social security number will be required before finalizing a contract.
- b. Completion and/or inclusion of:
  - Attachment 4
  - Attachment 5
  - Attachment 6
  - Attachment 7
  - Business License
  - Proof of Corporation Status
- c. Acceptance of Terms and Conditions:
  - i. On Attachment 4, the Proposer must either indicate acceptance of the Terms and Conditions and Supplemental 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 Proposer must also submit a red-lined version of the Terms and Conditions or Supplemental Terms and Conditions that clearly tracks proposed changes, and a written explanation or rationale for each exception and/or proposed change.
  
- d. Certifications, Attachments and other requirements:
  - i. Proposer must include the following certifications in its proposal:

Proposer certifies that it 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.

Proposer certifies that either (i) it is not a scrutinized company as defined in PCC 10490(b), or (ii) the goods or services the Proposer would provide to the Court are not related to products or services that are the reason the Proposer must comply with Section 13(p) of the Securities Exchange Act of 1934. (Note: PCC 10490(b) defines a “scrutinized company” as “a person that has been found to be in violation of Section 13(p) of the Securities Exchange Act of 1934 by final judgment or settlement entered in a civil or administrative action brought by the Securities and Exchange Commission and the person has not remedied or cured the violation in a manner accepted by the commission on or before final judgment or settlement.”)
  - ii. If (i) Proposer is a corporation, limited liability company, or limited partnership, and (ii) the agreement resulting from this RFP will be performed in California, proof that Proposer is in good standing and qualified to conduct business in California.
  
- e. Name, title, address, telephone number, and email address of the individual who will act as the Proposer’s designated representative for purposes of this RFP.
  
- f. Names, addresses, and telephone numbers of a minimum of three (3) clients for whom the Proposer has conducted similar services. The Court may check references listed by the Proposer.
  
- g. Proposed method to complete the work.
  - i. Staffing number (s) for each location; list of day porters/floaters, utility crew, etc.
  - ii. Written explanation as to how Proposer will accomplish all Work as noted in Attachment 8 – Statement of Work. Include information as to cleaning

methods, staffing to complete the Work, and any other pertinent information that will demonstrate the Proposers ability to accomplish all listed tasks.

- iii. A list of types of cleaning supplies to be used and their compliance with current health and safety standards.
- iv. Give examples of record keeping methods which show how Proposer will comply with all federal, state and local laws and regulations with regards to fair employment practices, prevailing wage payrolls, safety requirements and any other items noted in this Request for Proposal and all accompanying attachments.

h. **Samples.**

Samples must be submitted in a box separate from the proposal and cost proposal clearly labeled with the contents and Contractor's information including name and address. Samples of the following materials and supplies must be included with the proposal:

- Liquid anti-bacterial hand soap
- Toilet paper (2-ply only to be used)
- Disinfectant spray (if multiples are used, please specify and submit all)
- Furniture polish
- Paper towels
- Toilet seat covers
- Air freshener
- Ammonia-based window and surface cleaner
- Cleansing powder

8.2 Cost Proposal. The following information must be included in the cost proposal.

- i. A detailed line item budget showing total cost of the proposed services.
- ii. A full explanation of all budget line items in a narrative entitled "Budget Justification."
- iii. A "not to exceed" total for all work and expenses payable under the contract, if awarded.

**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 Proposer'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.

## 10.0 EVALUATION OF PROPOSALS

At the time proposals are opened, each proposal will be checked for the presence or absence of the required proposal contents.

The Court will evaluate the 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 at [www.stanct.org](http://www.stanct.org).

CRITERION	MAXIMUM NUMBER OF POINTS
Completion, and/or inclusion of, all required attachments, licenses and certifications	10
Acceptance of Terms and Conditions	5
Contractor experience and references	25
Proposed method to complete work	20
Cost Proposal	40

## 11.0 INTERVIEWS

The Court may conduct interviews with Proposers to clarify aspects set forth in 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 Court's offices. The Court will not reimburse Proposers for any costs incurred in traveling to or from the interview location. The Court will notify eligible Proposers 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 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.

One copy of each bid will be retained by the Court for official files and will become a public record. The Public Contract Code requires that bids be publicly opened and made available for public inspection. Accordingly, Bidder should not include confidential or proprietary information in its bid.

## **13.0 DISABLED VETERAN BUSINESS ENTERPRISE INCENTIVE**

The Court has waived the DVBE incentive in this solicitation.

## **14.0 SMALL BUSINESS PREFERENCE**

Small business participation is not mandatory. Failure to qualify for the small business preference will not render a proposal non-responsive.

Eligibility for and application of the small business preference is governed by the Court’s Small Business Preference Procedures for the Procurement of Information Technology Goods and Services. The Proposer will receive a small business preference if, in the Court’s sole determination, the Proposer has met all applicable requirements. If the Proposer receives the small business preference, the score assigned to its proposal will be increased by an amount equal to 5% of the points assigned to the highest scored proposal. If a DVBE incentive is also offered in connection with this solicitation, additional rules regarding the interaction between the small business preference and the DVBE incentive apply.

To receive the small business preference, the Proposer must be either (i) a Department of General Services (“DGS”) certified small business or microbusiness performing a commercially useful function, or (ii) a DGS-certified small business nonprofit veteran service agency.

If the Proposer wishes to seek the small business preference, the Proposer must complete and submit with its proposal the Small Business Declaration (Attachment 5). The Proposer must submit with the Small Business Declaration all materials required in the Small Business Declaration.

Failure to complete and submit the Small Business Declaration as required will result in the Proposer not receiving the small business preference. In addition, the Court may request additional written clarifying information. Failure to provide this information as requested will result in the Proposer not receiving the small business preference.

If the Proposer receives the small business preference, (i) the Proposer will be required to complete a post-contract report; and (ii) failure to meet the small business commitment set forth in its proposal will constitute a breach of contract.

**FRAUDULENT MISREPRETATION IN CONNECTION WITH THE SMALL BUSINESS PREFERNCE IS UNLAWFUL AND IS PUNISHABLE BY CIVIL PENALTIES. SEE GOVERNMENT CODE SECTION 14842.5.**

## **15.0 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 the proposal due date. Protests must be sent to:

**Protest RFP 1516004 Janitorial Services**  
County of Stanislaus  
Attn: Fiscal Services  
800 11<sup>th</sup> St., Room 100  
Modesto, CA 95354