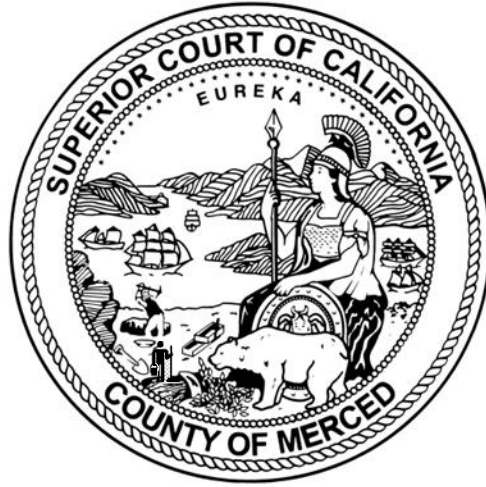


RFP Title: Janitorial Services  
RFP Number: 2324-JS0124



# REQUEST FOR PROPOSALS

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SUPERIOR COURT OF CALIFORNIA, COUNTY OF MERCED

**REGARDING:**

JANITORIAL SERVICES

RFP NUMBER 2324-JS0124

**PROPOSALS DUE:**

*March 15<sup>th</sup>, 2024*, no later than *5:00* p.m. Pacific time

## 1.0 BACKGROUND INFORMATION

The Superior Court of California, County of Merced (“Court”) is issuing this Request for Proposal (“RFP”) to provide the Court with competitive bids from highly qualified vendors with expertise in providing janitorial services for each of the court facilities listed in Attachment 12. These six (6) separate facilities are utilized by court staff and the public for daily court operations with the exception of the storage building, which has no public access and limited court staff access.

## 2.0 DESCRIPTION OF SERVICES AND DELIVERABLES

### 2.1 Terms

The Court seeks the services of a person or entity with expertise in housekeeping, janitorial and other related services for a **(3) three year period, with two one-year option to extend**. The Court requires a qualified vendor to provide cleaning services and supplies for the Court.

### 2.2 Scope of Work

The description of services (“Scope of Work”) is described in Attachment 2, Appendix A.

### 2.3 Transition

- A. Upon award of the contract, the contractor shall work with the Court and any other organizations designated by the court to ensure an orderly transition of services and responsibilities under the contract and to ensure the continuity of those services.
- B. Contractor shall, at all times, perform its obligations hereunder in compliance with all applicable federal, State, and County laws and regulations.

Note: The provisions of the Displaced Janitor Opportunity Act (Labor Code Section 1060 et seq.), effective January 1, 2002, including specifically Labor Code Section 1061(b)(1), must be complied with by the successful bidder during the term of any agreement resulting from this RFP.

### 3.0 TIMELINE FOR THIS RFP

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

EVENT	DATE
RFP issued	February 5, 2024
Deadline for questions (email questions to <a href="mailto:Merced.RFP@mercedcourt.org">Merced.RFP@mercedcourt.org</a> )	February 26, 2024
Pre-proposal Conference (see section 6.0 for location)	February 21, 2024, at 10:00 a.m.
Questions and answers posted	February 29, 2024
Latest date and time proposal may be submitted	<b>March 15, 2024, by 5:00 p.m.</b>
Anticipated interview dates ( <i>estimate only</i> )	March 19, 2024
Evaluation of proposals ( <i>estimate only</i> )	March 20, 2024
Notice of Intent to Award ( <i>estimate only</i> )	<b>March 29, 2024</b>
Negotiations and execution of contract ( <i>estimate only</i> )	April 2, 2024
Contract start date ( <i>estimate only</i> )	July 1, 2024
Contract end date ( <i>estimate only</i> )	June 30, 2027

### 4.0 RFP ATTACHMENTS

The following attachments are included as part of this RFP:

ATTACHMENT	DESCRIPTION
<b>Attachment 1:</b> Administrative Rules Governing RFPs (Non-IT Services)	These rules govern this solicitation.
<b>Attachment 2:</b> JBE Standard Terms and Conditions	<p>If selected, the person or entity submitting a proposal (the “Proposer”) must sign a JBE Standard Form agreement containing these terms and conditions (the “Terms and Conditions”).</p> <p>The following provisions within the Terms and Conditions are minimum contract terms and conditions (“Minimum Terms”): Appendix C</p>
<b>Attachment 3:</b> Proposer’s Acceptance of Terms and Conditions	<p>On this form, the Proposer must indicate acceptance of the Terms and Conditions or identify exceptions to the Terms and Conditions.</p> <p><b>Note: A material exception to a Minimum Term will render a proposal non-responsive.</b></p>
<b>Attachment 4:</b> General Certifications Form	The Proposer must complete the General Certifications Form and submit the completed form with its proposal.
<b>Attachment 5:</b> Darfur Contracting Act Certification	The Proposer must complete the Darfur Contracting Act Certification and submit the completed certification with its proposal.
<b>Attachment 6:</b> Payee Data Record Form	This form contains information the JBE requires in order to process payments and must be submitted with the proposal.
<b>Attachment 7:</b> Iran Contracting Act Certification	The Proposer must complete the Iran Contracting Act Certification and submit the completed certification with its proposal.
<b>Attachment 8:</b> Unruh and FEHA Certification	The Proposer must complete the Unruh Civil Rights Act and California Fair Employment and Housing Act Certification.
<b>Attachment 9:</b> Bidder DVBE Declaration Form	The Proposer must complete this form <u>only if</u> it wishes to claim the disabled veteran business enterprise incentive associated with this solicitation.
<b>Attachment 10:</b> DVBE Declaration	Each DVBE that will provide goods and/or services in connection with the contract must complete this form. If Proposer is itself a DVBE, it must also complete and sign the DVBE Declaration.
<b>Attachment 11:</b> Pricing Sheet	The Proposer must complete this template for submission of the Cost Proposal. Attach any additional information.
<b>Attachment 12:</b> Court Facilities	Listing of all Court facilities to be serviced including the square footage.

## 5.0 PAYMENT INFORMATION

Payment terms will be in accordance with the payment provisions of Appendix B, Contract Terms and Conditions. **THE COURT DOES NOT MAKE ANY ADVANCE PAYMENT FOR GOODS OR SERVICES.** Payment is made based upon completion of tasks as provided in the contract between the Court and any selected vendor.

## 6.0 PRE-PROPOSAL CONFERENCE

The Court will hold a pre-proposal conference on the date identified in the timeline above. Attendance at the pre-proposal conference **is optional**. The location for the pre-proposal conference and walk-through will be held at:

Administration Conference Room  
Merced Superior Court  
627 W. 21st Street  
Merced, CA 95340

## 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. The two-part proposal may be submitted physically or electronically per the options below:

A. If submitting a physical version:

- i. 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.
- ii. 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.

iii. Product Samples

- a. Samples must be submitted in a box/container separate from the technical and cost proposal clearly labels with the contents and Proposer's information including name and address.
- b. Samples of the following materials and supplies must be included with the proposal:
- c. Toilet paper (2-ply only)
- d. Paper towels
- e. Toilet seat cover
- f. Liquid anti-bacterial hand soap
- g. List of cleaning products to be used, e.g. disinfectant spray, furniture polish, window and surface cleaner, furniture polish, etc.

iv. Proposals must be delivered by the date and time listed on the coversheet of this RFP to:

Merced Superior Court  
Attn: Finance RFP#: 2324-JS0124  
627 W. 21st Street  
Merced, CA 95340

- v. Proposals must be sent by registered or certified mail, courier service (e.g. FedEx), secured email, or delivered by hand. Proposals may not be transmitted by fax.

B. If submitting an electronic version:

- i. The Proposer must submit one (1) PDF file of the technical proposal. The original must be signed by an authorized representative of the Proposer. The original technical proposal must be encrypted and submitted to [Merced.RFP@mercedcourt.org](mailto:Merced.RFP@mercedcourt.org), separate from the cost proposal. The subject line of the email must be in this format: [Vendor Name] [RFP Number] – [Technical Proposal].
- ii. The Proposer must submit one (1) PDF file of the cost proposal. The original must be signed by an authorized representative of the Proposer. The original cost proposal must be encrypted and submitted to [Merced.RFP@mercedcourt.org](mailto:Merced.RFP@mercedcourt.org), separate from the technical proposal. The

subject line of the email must be in this format: [Vendor Name] [RFP Number] – [Cost Proposal].

7.3 Late proposals will not be accepted.

## 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. Number of years in business.
- C. 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.
- D. Names, addresses, and telephone numbers of a minimum of **three (3)** clients for whom the Proposer has conducted similar services. The JBE may check references listed by the Proposer.
- E. Proposed method to complete the work.
  - i. Level of customer service that will be provided including procedures that will ensure consistency and problem escalation and resolution.
- F. Acceptance of the Terms and Conditions.
  - i. On Attachment 3, the Proposer must check the appropriate box and sign the form. If the Proposer marks the second box, it must provide the required additional materials. An "exception" includes any addition, deletion, or other modification.
  - ii. If exceptions are identified, the Proposer must also submit (i) a red-lined version of the Terms and Conditions that implements all proposed changes, and (ii) a written explanation or rationale for each exception and/or proposed change.
  - iii. **Note: A material exception to Minimum Terms and will render a proposal non-responsive.**
- G. Certifications, Attachments, and other requirements.
  - i. The Proposer must complete the General Certifications Form (Attachment 4) and submit the completed form with its proposal.
  - ii. The Proposer must complete the Darfur Contracting Act Certification (Attachment 5) and submit the completed certification with its proposal.
  - iii. If Contractor is a California corporation, limited liability company ("LLC"), limited partnership ("LP"), or limited liability partnership ("LLP"), proof that Contractor is in good standing in California. If Contractor is a foreign corporation, LLC, LP, or LLP, and Contractor conducts or will conduct (if awarded the contract) intrastate business in California, proof that Contractor is qualified to do business and in good standing in California. If Contractor is a

foreign corporation, LLC, LP, or LLP, and Contractor does not (and will not if awarded the contract) conduct intrastate business in California, proof that Contractor is in good standing in its home jurisdiction.

- iv. Copies of the Proposer's (and any subcontractors') current business licenses, professional certifications, or other credentials.
- v. Proof of financial solvency or stability (e.g., balance sheets and income statements).
- vi. The Proposer must complete the Iran Contracting Act Certification (Attachment 7) and submit the completed certification with its proposal.
- vii. The Proposer must complete the Unruh Civil Rights Act and California Fair Employment and Housing Act Certification (Attachment 8) and submit the completed certification with its bid.

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

- A. Proposer must submit Attachment 11 Pricing Sheet. Pricing shall include all anticipated charges, including but not limited to, freight and delivery, cost of materials and product, travel expenses, overhead, profits, and other costs or expenses incidental to the vendor's performance for each year for each facility.
  - i. If there are any extra service charges pursuant to Attachment 2 § 4.14-4.15, enter the hourly rate in the corresponding field.
- B. A detailed line item budget showing total cost of the proposed services attached to the Pricing Sheet.
- C. A full explanation of all budget line items in a narrative entitled "Budget Justification."

**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**

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 JBE 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 JBE 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 JBE will post an intent to award notice at <http://www.mercedcourt.org/vendors.shtml>.



CRITERION	MAXIMUM NUMBER OF POINTS
Reasonableness and feasibility of proposed approaches, methods, procedures, and cost projections including financial stability and viability	27
Experience on similar assignments	20
Cost	30
Customer Service and Product Samples	10
Acceptance of the Terms and Conditions	10
DVBE Incentive	3

## 11.0 INTERVIEWS

The JBE 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 JBE's offices. The JBE will not reimburse Proposers for any costs incurred in traveling to or from the interview location. The JBE will notify eligible Proposers regarding interview arrangements.

## 12.0 CONFIDENTIAL OR PROPRIETARY INFORMATION

**PROPOSALS ARE SUBJECT TO DISCLOSURE TO THIRD PARTIES AND MEMBERS OF THE PUBLIC PURSUANT TO APPLICABLE LAWS, INCLUDING PUBLIC DISCLOSURE PURSUANT TO RULE 10.500 OF THE CALIFORNIA RULES OF COURT.** Except as required by law, the JBE 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 may be disclosed in response to applicable public records requests, or as otherwise required by law. Such disclosure may be made regardless of whether the proposal (or portions thereof) is marked "confidential," "proprietary," "copyright ©," or otherwise, and regardless of any statement in the proposal (a) purporting to limit the JBE's right to disclose information in the proposal, or (b) requiring the JBE 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. Submission of any proposal pursuant to this RFP constitutes acknowledgment and consent by the Proposer to the potential public disclosure of its proposal content, pursuant to this Section 12.0. **Proposers**

**are accordingly cautioned not to include confidential, proprietary, or privileged information in proposals.**

### **13.0 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 10.0 above.

To receive the DVBE incentive, at least 3% of the contract goods and/or services must be provided by a DVBE performing a commercially useful function. Or, for solicitations of non-IT goods and IT goods and services, Proposer may have an approved Business Utilization Plan ("BUP") on file with the California Department of General Services ("DGS").

If Proposer wishes to seek the DVBE incentive:

1. Proposer must complete and submit with its proposal the Bidder Declaration (Attachment 9). Proposer must submit with the Bidder Declaration all materials required in the Bidder Declaration.
2. Proposer must submit with its proposal a DVBE Declaration (Attachment 10) 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. **NOTE:** The DVBE Declaration is not required if Proposer will qualify for the DVBE incentive using a BUP on file with DGS.

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 this solicitation is for IT goods and services, the application of the DVBE incentive may be affected by application of the small business preference. For additional information, see the Court's Small Business Preference Procedures for the Procurement of Information Technology Goods and Services.

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.

If using DVBE subcontractors, the Proposer must complete and return to the JBE a copy of the post-contract certification form (<https://www.courts.ca.gov/documents/JBCM-Post-Contract-Certification-Form.docx>), promptly upon completion of the awarded contract, and by no later than the date of submission of Proposer's final invoice to the JBE. If the

RFP Title: Janitorial Services  
RFP Number: 2324-JS0124

Proposer fails to do so, the JBE will withhold \$10,000 from the final payment, or withhold the full payment if it is less than \$10,000, until the Proposer submits a complete and accurate post-contract certification form.

When a Proposer fails to comply with the post-contract certification requirement in this section and a payment withhold is applied to a contract, the JBE shall allow the Proposer to cure the deficiency after written notice. Notwithstanding the foregoing or any other law, if after at least 15 calendar days, but no more than 30 calendar days, from the date of the written notice the Proposer refuses to comply with the certification requirements, the JBE shall permanently deduct \$10,000 from the final payment, or the full payment if less than \$10,000.

**FRAUDULENT MISREPRETATION 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.**

#### **14.0 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 JBE to receive a solicitation specifications protest is **the proposal due date**. Protests must be sent to:

Superior Court of California  
County of Merced  
627 W. 21<sup>st</sup> Street  
Merced, CA 95340

***END OF RFP***