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# REQUEST FOR PROPOSALS

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***SUPERIOR COURT OF CALIFORNIA,  
COUNTY OF VENTURA***

**REGARDING: LABOR CONSULTANT SERVICES  
RFP 1819-208**

**PROPOSALS DUE: MARCH 8, 2018  
NO LATER THAN 3:00 PM PACIFIC TIME**

## 1.0 BACKGROUND

The Superior Court of California, County of Ventura (hereinafter referred to as “Court”) desires to solicit proposals from qualified proposers (hereinafter referred to as “Proposer” or “Proposers”) for labor consultant services.

Pursuant to California Rules of Court 10.653(b) and Court policy, representatives of a court must meet and confer in good faith regarding matters within the scope of representation with representatives of a recognized employee organization. The Court currently recognizes one employee organization: Service Employees International Union Local 721(SEIU). The Court’s Executive Officer or delegate serves as the representative of the Court in matters relating to employment conditions and employer-employee relations. **Proposer must have experience in the techniques and role of a Chief Negotiator with Unions on behalf of management in public sectors.**

The type of award anticipated is Firm Fixed Price for an initial term of three (3) 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 website:  
<http://www.ventura.courts.ca.gov/vendors.html>.

## 2.0 DESCRIPTION OF GOODS AND/OR SERVICES

See Exhibit A: Statement of Work attached hereto.

## 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	February 21, 2018
Deadline for questions	February 26, 2018 3:00 PM Pacific Time
Questions and answers posted	February 27, 2018
Latest date and time proposal may be submitted	<b>March 8, 2018</b> 3:00 PM Pacific Time
Anticipated interview dates, if required ( <i>estimate only</i> )	April 2018
Evaluation of proposals ( <i>estimate only</i> )	April 2018
Notice of Intent to Award ( <i>estimate only</i> )	April/May 2018
Negotiations and execution of contract ( <i>estimate only</i> )	May/June 2018
Contract start date	July 1, 2018
Contract end date ( <i>if all options exercised</i> )	June 30, 2023

## 4.0

**RFP ATTACHMENTS**

The following attachments are included as part of this RFP:

ATTACHMENT	DESCRIPTION
Attachment 1: Administrative Rules Governing RFPs	These rules govern this solicitation. <b>Please read carefully.</b>
Attachment 2: General Terms and Conditions/Defined Terms	The General Terms and Conditions and Defined Terms will be incorporated into any resulting order and/or contract resulting from this solicitation subject to non-mandatory, non-material, and mutually agreed upon changes. See instructions on Attachment 3 regarding Proposer exceptions.
Attachment 3: 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.
Attachment 4: General Certifications Form	The Proposer must complete the General Certifications Form and submit the completed form with its proposal.
Attachment 5: Darfur Contracting Act Certification	Proposer must complete the Darfur Contracting Act Certification and submit the completed certification with its proposal.
Attachment 6: Payment Provisions	This form contains information the Court requires in order to process payments and must be submitted with the proposal.
Attachment 7: Travel Expense Reimbursement	Guide for travel expenses.
Exhibit A: Statement of Work	Statement of Work

**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.
- Reimbursement for actual costs of **pre-approved** travel expenses are allowed under this solicitation. All travel expenses, including but not limited to lodging, mileage, and meals, will be subject to state limits, court policy and procedures, and must be supported by receipts (see attachment 7 for guidelines).

## 6.0 SUBMISSIONS OF PROPOSALS

- 6.1 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.
- 6.2 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 Proposer must write the RFP title and number on the outside of the sealed envelope.
- 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 Flash Drive.** The files contained on the CD-ROM or USB Flash Drive should be in PDF, Word, or Excel formats.
- 6.3 Proposals must be delivered by the date and time listed on the coversheet of this RFP by **USPS Registered/ Special Delivery (Fed-Ex, UPS or Hand Delivery)** to:
- Superior Court of California, County of Ventura  
Hall of Justice, Records-Room 218  
Attn: Jill Barrios / RFP 1819-208  
800 S. Victoria Ave.  
Ventura, CA 93009**
- 6.4 Late proposals will not be accepted.
- 6.5 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.

## 7.0 PROPOSAL CONTENTS

7.1 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. Proposer's name, address, telephone and fax numbers, and federal tax identification number. Note that if Proposer 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 Proposer's designated representative for purposes of this RFP.
- C. 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.
- D. 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 Proposer.
- E. Acceptance of the Terms and Conditions.
  - a. On Attachment 3, the Proposer 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. **Note: A material exception to a Minimum Term will render a proposal non-responsive.**
  - b. If exceptions are identified, the Proposer must also submit a red-lined version of the Terms and Conditions in Microsoft Word format that clearly tracks proposed changes, and a written explanation or rationale for each exception and/or proposed change.
- F. Certifications, Attachments, and other requirements.
  - a. Proposer must include the following certification 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.
  - b. Proposer must complete the Darfur Contracting Act Certification (Attachment 4) and submit the completed certification with its proposal.

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

- A. A detailed line-item budget showing total cost of the proposed services.
- B. A full explanation of all budget line items in a narrative entitled “Budget Justification.”
- C. 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.

**8.0 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.

**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. 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. In the event of a tie, the contract will be awarded to the lowest responsible Bidder. If a contract will be awarded, the Court will post a Notice of Intent to Award at the Court’s website: <http://www.ventura.courts.ca.gov/vendors.html>.

CRITERION	MAXIMUM NUMBER OF POINTS
Quality of work plan submitted	10
Experience on similar assignments	25
Cost	25
Credentials of staff to be assigned to the project	20
Acceptance of Court’s Terms and Conditions	10
Ability to meet timing requirements to complete the project	10
<b>TOTAL POINTS</b>	<b>100</b>

## 10.0 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 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.

## 11.0 CONFIDENTIAL OR PROPRIETARY INFORMATION

One copy of each proposal will be retained by the Court for official files and will become a public record. California judicial branch entities are subject to rule 10.500 of the California Rule of Court, which governs public access to judicial administrative records ([see www.courtinfo.ca.gov/cms/rules/index.cfm?title=ten&linkid=rule10\\_500](http://www.courtinfo.ca.gov/cms/rules/index.cfm?title=ten&linkid=rule10_500)).

If information submitted in a proposal contains material noted or marked as confidential and/or proprietary that, in the Court's sole opinion, meets the disclosure exemption requirements of Rule 10.500, then that information will not be disclosed upon a request for access to such records. If the Court finds or reasonably believes that the material so marked is **not** exempt from disclosure, the Court will disclose the information regardless of the marking or notation seeking confidential treatment.

Notwithstanding the above, the California Public Contract Code requires the public inspection of certain proposals. If required to do so by the Public Contract Code, a Court may disclose all information contained in a proposal, including information marked as confidential or proprietary.

## 12.0 DISABLED VETERAN BUSINESS ENTERPRISE PARTICIPATION GOALS

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/proposer 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.

## 12.0 PROTESTS

Any protests will be handled in accordance with Chapter 7 of the Judicial Branch Contract Manual (see <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 by of 3:00 PM Pacific Time **March 7, 2018**. Protests should be sent to:

**Superior Court of California**  
County of Ventura  
Brenda McCormick, General Counsel  
800 S. Victoria Ave.  
Ventura, CA 93009

## 13.0 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*