

RFP Title: *Janitorial Services*

RFP Number: *232401*

# REQUEST FOR PROPOSALS

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***SUPERIOR COURT OF CALIFORNIA  
COUNTY OF SANTA BARBARA***

**REGARDING:**

*Janitorial Services*

*RFP Number 232401*

**PROPOSALS DUE:**

*Wednesday, May 29, 2024* NO LATER THAN **3:00** P.M. PACIFIC DAYLIGHT TIME

**Table of Contents**

1.0 INTRODUCTION .....1

2.0 DESCRIPTION OF SERVICES AND DELIVERABLES .....1

3.0 RFP TIME-LINE .....1

4.0 RFP ATTACHMENTS.....2

5.0 MINIMUM MANDATORY REQUIREMENTS .....3

6.0 PROPOSAL CONTENTS.....5

7.0 EVALUATION CRITERIA.....8

8.0 DISABLED VETERAN BUSINESS ENTERPRISE (“DVBE”) INCENTIVE.....8

9.0 COOPERATIVE PROCUREMENT .....10

10.0 SUBMISSION OF PROPOSALS.....10

11.0 CONFIDENTIAL OR PROPRIETARY INFORMATION .....11

12.0 PROTESTS .....11

**DISCLAIMER**

The Superior Court of California, County of Santa Barbara assumes absolutely no liability or responsibility of any type or any fashion related to this solicitation or any courts, or any other government agencies, use of any resulting Agreement, or such court’s/agency’s business relationship with Contractor.

## **1.0 INTRODUCTION**

The purpose of this Request for Proposals (“RFP”) is to solicit proposals from qualified Proposers to select and retain a qualified Contractor to provide janitorial services for several facilities for the Superior Court of California, County of Santa Barbara (“Court”).

Interested and qualified Proposers who can demonstrate their ability to successfully provide the Services described in this RFP are invited to submit a proposal. Proposals shall be submitted in accordance with the requirements set forth in this document.

Proposers may submit proposals for some, or all of the facilities specified in Attachment 1, Statement of Work, but should include, at a minimum, each facility located within the city limits, i.e. each Court facility located in Santa Maria, which would include all buildings listed in the Santa Maria Court Campus, plus the Santa Maria Juvenile Division.

An Agreement (“Agreement”) will be awarded to the Proposer who has met or surpassed the Court’s minimum mandatory requirements and who has submitted the highest scored proposal. All materials submitted shall become a part of the proposal and may be incorporated in a subsequent Agreement between the Court and the selected Contractor.

The use of the term “Proposer” in this RFP shall be considered synonymous with the term “Contractor”. The use of the term “Agreement” in this RFP shall be considered synonymous with the term “contract”.

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

The Court seeks goods and services meeting the specifications set forth in the Statement of Work of this RFP.

Due to the nature of the requested services, any contract resulting from this RFP may be subject to the provisions of the Displaced Janitor Opportunity Act (Labor Code sections 1060-1065). In pertinent part, the Act requires a successor contractor or successor subcontractor to retain for a 60-day transition employment period, employees who have been employed by the terminated contractor or its subcontractors, if any, for the preceding four months or longer at the site or sites covered by the successor service contract unless the successor contractor or successor subcontractor has reasonable and substantiated cause not to hire a particular employee based on that employee’s performance or conduct while working under the terminated contract.

## **3.0 RFP TIME-LINE**

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. Changes will be posted on the Court’s Website at <https://www.santabarbara.courts.ca.gov/general-information/purchasing>.

Event	Date
RFP Issued	Friday, May 3, 2024
RSVP to <a href="mailto:sbsolicitation@sbcourts.org">sbsolicitation@sbcourts.org</a> for each Mandatory Bidders Conference(s)	By Friday, May 10, no later than 3:00 pm
*Mandatory Bidders Conference – Santa Barbara	Monday, May 13, 2024, at 9:00 am
*Mandatory Bidders Conference – Lompoc & Solvang	Tuesday, May 14, 2024, at 8:00 am
*Mandatory Bidders Conference – Santa Maria	Wednesday, May 15, 2024, at 8:00 am
Deadline for Questions	Friday, May 17, 2024, by 5:00 pm
Final Posting of Answers	Tuesday, May 21, 2024, by 5:00 pm
Proposal Due Date	Wednesday, May 29, 2024, by 3:00pm
Evaluation of Proposals ( <i>estimate only</i> )	By June 14, 2024
Notice of Intent to Award ( <i>estimate only</i> )	Monday, June 17, 2024
Notice of Award ( <i>estimate only</i> )	Monday, June 24, 2024
Performance Start Date of New Contract ( <i>estimate only</i> )	Monday, July 1, 2024

\*The Bidders Conference is Mandatory for each site(s) you will include in your proposal.

#### 4.0 RFP ATTACHMENTS

All RFP Attachments may be found on the court website at

<https://www.santabarbara.courts.ca.gov/general-information/purchasing>

##### 4.1 Attachment 1 - Statement of Work

Describes in detail the specific services for which proposals are being solicited. Once a Contractor has been selected, the Statement of Work will become part of the final Agreement.

##### 4.2 Attachment 2 - Sample Agreement

Proposers are encouraged to review carefully the Sample Agreement. Please note that the Sample Agreement language is subject to change, that not all clauses shown may be used in any resultant Agreement, and that other Agreement provisions, which do not currently appear, may be included in any resultant Agreement. Proposers are not required to sign the Sample Agreement at this time. The Contractor selected to provide services as a result of this RFP process will be required to sign the final version of the Agreement upon completion of the negotiation process.

#### 4.3 **Attachment 3 - Administrative Rules Governing RFPs**

These rules govern this solicitation and should be read carefully by Proposer.

[attachment-3-administrative-rules.pdf \(ca.gov\)](#)

#### 4.4 **Attachment 4A and 4B Disabled Veteran’s Business Enterprise Forms (If Applicable)**

Complete the DVBE Declaration and the Bidder Declaration **only if** Proposer will claim the Disabled Veteran’s Business Enterprise (“DVBE”) preference associated with this solicitation. Please review the instructions before completing these forms. If Proposer submits incomplete or inaccurate information, it will not receive the DVBE preference.

[attachment-4a-dvbe-bidder-declaration.pdf \(ca.gov\)](#)

[attachment-4b-dvbe-declaration.pdf \(ca.gov\)](#)

#### 4.5 **Required Forms**

All forms listed below must be completed and submitted with the proposal. The completed forms will become part of the Proposer’s proposal.

- **Attachment 5 - General Certification Form**  
[attachment-5-general-certifications.pdf](#)
- **Attachment 6 - Bidder Acknowledgment Form**  
[attachment-6-bidder-acknowledgement.pdf \(ca.gov\)](#)
- **Attachment 7 - Acceptance of Terms and Conditions of Sample Agreement**  
[attachment-7-acceptance-tcs.pdf \(ca.gov\)](#)
- **Attachment 8 - Darfur Contracting Act Certification**  
[attachment-8-darfur-act-certification.pdf](#)
- **Attachment 9 - Unruh, Fair Employment, and Housing Act Certification**  
[Microsoft Word - Attachment 5 Unruh Civil Rights FEHA Certification.docx](#)

### 5.0 **MINIMUM MANDATORY REQUIREMENTS**

Proposals submitted shall fulfill the Court’s established minimum mandatory requirements in order to be considered for further review and evaluation. Failure to comply in any one of the minimum mandatory requirements may be cause for disqualifying a proposal from further consideration.

#### 5.1 **Proposal Submission Deadline**

Proposal must be received on or before the proposal due date.

**5.2 Cover Letter**

Proposal must include a cover letter, as described in Subsection 6.1 of this RFP.

**5.3 Experience and Capability**

Proposer must have at least five (5) years documented experience in providing services similar to the ones being solicited, as described in of this RFP.

**5.4 Staff Qualifications**

Proposals must include resumes of each key staff member.

**5.5 Business References**

Proposer shall provide a minimum of three (3) references of clients for whom the Proposer has conducted similar services, as described in the Statement of Work of this RFP.

**5.6 Financial Stability**

Proposer must provide proof of Proposer’s financial stability for the last three (3) years.

**5.7 Insurance**

Selected Proposer agrees to procure, maintain, and provide to the Court proof of insurance coverage for all the programs of insurance in the amounts specified in Section 25.0 (Insurance) of the Sample Agreement.

**5.8 Business License and Certification**

Proposer must submit copies of any current business licenses, professional licenses, certificates or other credentials required by the nature of the contract work to be performed by Proposer.

**5.9 Cost Proposal**

Proposer must submit its rates for the Services described in the Statement of Work.

**5.10 Required Forms**

Proposer must complete all Required Forms listed in Subsection 4.5 of this RFP. The Required Forms can be found on the Superior Court website using the following link:

<https://www.santabarbara.courts.ca.gov/general-information/purchasing> and must be submitted as directed on the website posting of this RFP.

## 6.0 PROPOSAL CONTENTS

In preparing its proposal, Proposer should do so in its own words and take care not to simply copy the language in the RFP. Care should also be taken to ensure that the proposal responds completely and thoroughly to all of the requirements set forth in this RFP. The objective of the proposal submission is for the Court to ascertain Proposer's ability to provide or exceed the required service levels. In addition, specific information is requested from all Proposers to ensure that the proposals can be fairly compared in a standard manner. Only that information which is contained in the proposal will be evaluated. Incomplete or inaccurate information will result in disqualification of Proposer.

**IMPORTANT: PROPOSALS MUST BE SUBMITTED IN THE FORMAT DESCRIBED BELOW, BOTH AS TO SEQUENCE AND CONTENT. FAILURE TO COMPLY WITH THESE PROVISIONS MAY, IN THE COURT'S SOLE DISCRETION, RESULT IN DISQUALIFICATION OF THE PROPOSAL.**

### 6.1 Cover Letter

The proposal must start with a cover letter on Proposer's stationery. A corporate officer or person who is authorized to represent Proposer must sign this letter on behalf of Proposer. The letter must include the following:

- 6.1.1 The name, title, address, telephone number, e-mail address and facsimile number of person(s) authorized to make representations for Proposer during negotiations and commit Proposer to a contract;
- 6.1.2 A statement that confirms Proposer is registered to do business in California and provide its corporate charter number; and
- 6.1.3 Proposer's Federal Tax Identification Number.

### 6.2 Experience and Capability

- 6.2.1 Describe the size, number of personnel, extent of your operations, and headquarters site of your company.
- 6.2.2 Provide a summary of relevant background information about Proposer. State how long Proposer has been in business under the current business name. If in business under another name, indicate prior business name(s).

Proposer must have a minimum of five (5) years documented experience providing services similar to those being solicited under this RFP. If Proposer has

been in existence less than five (5) years, then information regarding the principals in the company must be provided to substantiate compliance with the experience requirement. Provide names of persons with whom the principals associated as partners or business associates in the last five (5) years.

6.2.3 Provide a specific listing of current and previous contracts for the same or similar services with the Court or other government agency in the past three (3) years. The information should identify each contract, time period of the contract, department name, contact person and their telephone number, annual contract dollar amount and a description of the service provided. If Proposer has not had any contracts during the last three (3) years with the Court or other government agency, a statement to that effect must be included.

6.2.4 Provide a list of commitments and potential commitments that may impact assets, lines of credit, guarantor letters, or otherwise that may affect Proposer's ability to perform the contract. If Proposer does not have any commitments or potentials commitments that may affect Proposer's ability to perform the contract, a statement to that effect must be included.

### **6.3 Staff Qualifications**

For each key staff member provide a resume describing the individual's background and experience, as well as the individual's ability and experience in conducting the proposed activities.

### **6.4 Business References**

Provide a list of a minimum of three (3) references of clients for whom the Proposer has conducted similar services as described in the Statement of Work of this RFP. Please include name, title, address, telephone number and e-mail address of person(s) authorized to make representations for the client. The Court may check references listed by the Proposer.

### **6.5 Proof of Financial Stability**

Provide a copy of Proposer's audited financial statements for the last three (3) years. Statements should include the company's assets, liabilities and net worth. At a minimum, include the Balance Sheet (Statement of Financial Position), Income Statement (Statement of Operations), and the Retained Earnings Statement.

**Do not** submit Income Tax Returns to meet this requirement. Financial statements will be kept confidential if so identified on each page.

### **6.6 Insurance**

Attest that Proposer complies with the Indemnification and Insurance requirements of Section 32.0 (Indemnification by Contractor) and Section 25.0 (Insurance) of the Sample Agreement. Include proof of current insurance for other contracts. If required levels of insurance are not in place, a letter from Proposer’s insurance broker stating that the required amounts will be provided should a contract be awarded is acceptable. If a contract is awarded, an insurance certificate specifically endorsing the Court will be required prior to start of work.

**6.7 Business License and Certification**

Proposer must submit copies of all business or professional licenses or certificates required by the nature of the contract work to be performed and held by Proposer (i.e. California State Board of Equalization Seller’s Permit and Business License).

**6.8 Cost Proposal**

6.8.1 Proposer shall submit electronically, or a hard copy submission of its rates for the Services described in the Statement of Work, with submission of the proposal.

6.8.2 Proposer may submit its monthly rates for one or more facilities listed in the Statement of Work.

**6.9 Required Forms**

Proposer shall complete and submit all Required Forms listed in Subsection 4.5. electronically, or by hard copy with submission of the proposal.

**7.0 EVALUATION CRITERIA**

Proposals will be evaluated by the Evaluation Committee using the criteria set forth in the table below. The total maximum allowable points will be 180 points. Award, if made, will be to the **highest-scored proposal(s)**.

EVALUATION CRITERIA	Maximum Points
<b>Experience and Capability</b> (See Subsection 6.2)	30
<b>Staff Qualifications</b> (See Subsection 6.3)	30
<b>Cost Proposal</b> The Cost Proposal will be evaluated on the overall reasonableness of the prices submitted.	90
<b>Format of Proposal</b> Order of information presented within proposal documents follows the order outlined in Section 6.0 (Proposal Contents) and proposal documents include Cover Letter and all information requested in Section 6.0.	15
<b>Acceptance of Terms and Conditions</b> (As set forth in the Required Form entitled “Acceptance of Terms and Conditions of Sample Agreement”)	15
<b>TOTAL MAXIMUM ALLOWABLE POINTS</b>	180

**8.0 DISABLED VETERAN BUSINESS ENTERPRISE (“DVBE”) 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 JBE’s DVBE Rules and Procedures. Proposer will receive a DVBE incentive if, in the JBE’s sole determination, Proposer has met all applicable requirements. If Proposer receives the DVBE incentive, 5.4 points will be added to the score assigned to Proposer’s proposal.

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 4A). 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 4B) 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 JBE 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 JBE'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 JBE 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 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.**

## 9.0 COOPERATIVE PROCUREMENT

The Court is conducting a competitive procurement process in compliance with California Judicial Branch Contract Law and Manual. The provisions and pricing of this agreement may be extended to other California government agencies. A government agency wishing to utilize the provisions of this agreement will be responsible for issuing its own purchase documents and making any and all payments relative to its agreement. Any participating government agency is responsible for obtaining its own certificates of insurance and any required performance bonds. The Court makes no guarantee to other government agencies that may utilize the provisions and pricing of the agreement. By utilizing the provisions and pricing of this agreement, the participating agency agrees to hold the Court harmless from all claims, demands, or actions of every kind resulting directly or indirectly, arising out of, or in any way connected with the utilization of the provisions or pricing of this agreement. The Court makes no guarantee to the Contractor that any other government agency will make use of the provisions or pricing of this agreement.

## 10.0 SUBMISSION OF PROPOSALS.

Proposals should provide straightforward, concise information that satisfies the requirements of the "Proposal Contents" section above. Emphasis should be placed on conformity to the RFP's instructions and requirements, and completeness and clarity of content.

10.1 The Proposer must submit its proposal electronically, with associated attachments, the technical proposal and the cost proposal.

10.1.1 The Proposer must submit **an electronic copy** of the technical proposal. The proposal must be signed by an authorized representative of the Proposer. The technical proposal must be submitted via email to [sbsolicitation@sbcourts.org](mailto:sbsolicitation@sbcourts.org). **The Proposer must write the RFP title and number in the subject line of the email.**

10.1.2 The Proposer must submit **an electronic copy** of the cost proposal. The Cost Proposal must be submitted in the same email as the Technical Proposal above (*via email*) to [sbsolicitation@sbcourts.org](mailto:sbsolicitation@sbcourts.org)) but should be a separate attachment marked "Cost Proposal," from the technical proposal. The Proposer must write the RFP title and number in the subject line of the email.

10.1.3 Submission acceptance will be based on the date and time the emails are received by the Court. If multiple emails are required for bid submission, Proposer must include in the subject line 1 of 2, 2 of 2, etc. All emails must be received prior to the due date and time or the proposal will not be accepted.

**10.2 Late proposals will not be accepted.**

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

## 12.0 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](http://www.courts.ca.gov/documents/jbcl-manual.pdf)). Failure of 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. The deadline for the Court to receive an award protest is five (5) court days after the Court posts the intent to award. If the Court receives a timely award protest, the protester will have five (5) calendar days after the Court receives the protest to submit the required information. Protests should be sent to:

Attn: Darrel E. Parker  
Superior Court of California  
County of Santa Barbara  
Santa Maria Division  
312 East Cook Street, Bldg. E  
Santa Maria, California 93454

Any written protest or objection received by the Court after five (5) court days shall not be considered and the Court’s decision to recommend the award of the Agreement to the successful Proposer shall be upheld.

**THE COURT SHALL TAKE NO RESPONSIBILITY WHATSOEVER FOR THE RECEIPT OR HANDLING OF ANY PROTEST OR OBJECTION WHICH IS NOT RECEIVED BY THE PERSON INDICATED ABOVE BY THE STATED DEADLINE.**