

# REQUEST FOR PROPOSALS

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**BUTTE COUNTY SUPERIOR COURT**

**REGARDING: COPIER LEASING**

RFP 004-2012

**PROPOSALS DUE:**

December 7<sup>th</sup>, 2012 NO LATER THAN 1:00 P.M. PACIFIC TIME

## 1.0 BACKGROUND INFORMATION AND DESCRIPTION

Butte County Superior Court is issuing this RFP in order to enter into a three (3)-year contract, with the Court's option for two (2) additional years, directly with a highly-qualified vendor to lease copy machines with current and reliable technology.

Butte County Superior Court is located in Oroville, California, about 70 miles north of Sacramento. The staff consists of approximately 120 personnel including Judges, Commissioners, managers, court clerks, and administrative staff. The Court's operations are distributed among two primary locations – Oroville and Chico.

This RFP, associated documents, including the Notice of Intent to Award and/or all addenda that may be issued will be available on the following website, referred to individually and collectively as "Court website": <http://www.buttecourt.ca.gov>.

Butte County Superior Court currently uses nine copiers provided through the Ray Morgan Corporation. Details are listed in Attachment 5.

## 2.0 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	November 8, 2012
Deadline for questions	November 26, 2012 by 4pm PST
Final day questions and answers will be posted*	November 28, 2012 by 4pm PST
Latest date and time proposal may be submitted	December 7, 2012 by 1pm PST
Potential Interviews and Demonstrations ( <i>estimate only</i> )	December 2012
Evaluation of proposals ( <i>estimate only</i> )	December 2012
Public opening of cost portion of proposals**	December 2012
Notice of Intent to Award ( <i>estimate only</i> )	December 2012
Negotiations and execution of contract ( <i>estimate only</i> )	January 2013

Contract start date ( <i>estimate only</i> )	January 2013
Contract end date ( <i>estimate only</i> )	January 2016

\* Answers will be posted on the Court’s website on an ongoing basis up until the posting deadline.

\*\* The date, time, and location of the public cost bid opening will be posted on [www.buttecourt.ca.gov](http://www.buttecourt.ca.gov).

### 3.0 RFP ATTACHMENTS

The following attachments are included as part of this RFP:

ATTACHMENT	DESCRIPTION
Attachment 1: Administrative Rules Governing RFPs (IT Goods and Services)	These rules govern this solicitation.
Attachment 2: Court Standard Terms and Conditions	If selected, the person or entity submitting a proposal (the “Proposer”) must sign this Court Standard Form agreement
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.  <b>Note: A material exception to a Minimum Term will render a proposal non-responsive.</b>
Attachment 4: Proposer Requirements	This form contains the qualifications for proposers, the requirements for the Court’s network. Proposers must use this information for the non-cost portion of the proposal
Attachment 5: Existing Copiers	This form includes the court’s current copiers and estimated monthly usage.
Attachment 6: DVBE Certification Form	Proposer must complete the DVBE Certification Form and submit the completed certification with its proposal.
Attachment 7: Copier Cost Sheets	This form must be used by the Proposer to complete the cost portion of the proposal.

#### **4.0 PAYMENT INFORMATION**

- 4.1 The Court will not issue any advance payment for services.
- 4.2 The Court will not issue any progress payments for the implementation of this project.

#### **5.0 SUBMISSIONS OF PROPOSALS**

- 5.1 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.
- 5.2 The Proposer must submit its proposal in two parts, the non-cost portion and the cost portion.
  - a. The Proposer must submit **one (1) original and three (3) copies** of the non-cost portion of the 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 portion of the proposal. The original must be signed by an authorized representative of the Proposer. The original cost portion (and the copies thereof) must be submitted to the Court in a single sealed envelope, separate from the non-cost portion. The Proposer must write the RFP title and number on the outside of the sealed envelope.
- 5.3 Proposals must be delivered by the date and time listed on the coversheet of this RFP to:  
  
Scott Miller, Court Services Analyst III  
Superior Court of California, County of Butte  
1 Court Street, Oroville CA 95965
- 5.4 **Late proposals will not be accepted.**
- 5.5 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.**

## 6.0 PROPOSAL CONTENTS

- 6.1 **Non-Cost Portion.** The following information must be included in the non-cost portion of the 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 5 clients for whom the Proposer has conducted similar services. The Court may check references listed by Proposer.
  - e. Proposer must demonstrate how they satisfy the qualifications and requirements listed in Attachment 4.
  - f. Acceptance of the Terms and Conditions.
    - i. 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.
    - ii. If exceptions are identified, the Proposer must also submit a red-lined version of the Terms and Conditions that clearly tracks proposed changes, and a written explanation or rationale for each exception and/or proposed change.
    - iii. **Note: A material exception to a Minimum Term will render a proposal non-responsive.**
  - g. 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.
- iii. Copies of current business licenses, professional certifications, or other credentials.
- iv. Proof of financial solvency or stability (e.g., balance sheets and income statements).

6.2 **Cost Portion.** The following information must be included in, and considered for, the cost portion of the proposal.

- a. Proposers must submit pricing using the Copier Group Cost Sheets (Attachment 7). 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.
- b. The Courts are exempt from federal excise taxes and no payment will be made for any taxes levied on the vendor’s or any Subcontractor’s employee’s wages. The Courts will pay for any applicable State of California or local sales or use taxes on the products provided or the services rendered. Taxes shall be included as a separate line item on a vendor’s invoice.

- c. The prices proposed in the proposer’s response will be valid for a minimum of three years after any resulting agreement is signed. Therefore, if the vendor anticipates price increases for copier leases that begin in years two (2) through three (3) of the agreement, separate Copier Group Cost Sheets must be submitted for each lease starting year in which the prices are applicable.

Copier Cost Sheets must be enclosed in a separate, sealed envelope.

**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.

## 7.0 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.

## 8.0 EVALUATION OF PROPOSALS

The cost portion of proposals will be publicly opened at date to be announced. The date of the opening will be announced on the Court’s website at [www.buttecourt.ca.gov](http://www.buttecourt.ca.gov).

The Court will evaluate the proposals using the criteria set forth in the table below.

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

CRITERION	MAXIMUM NUMBER OF POINTS
Ability to meet minimum qualifications	Pass/Fail
Ability to meet network integration requirements	Pass/Fail
Ability to meet equipment requirements	Pass/Fail
Acceptance of the Terms and Conditions	Pass/Fail
Cost	100%

## **9.0 INTERVIEWS AND DEMONSTRATION**

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. Additionally, the interview process may require a demonstration. Demonstrations of the proposed solution may be required prior to award to determine Proposer's responsiveness to the RFP's technical requirements. If requested, such demonstrations must be provided at no cost at a mutually agreeable location within the timeframe identified in the notification. Failure to submit demonstrations as requested may be grounds for rejection of a vendor's proposal. Unless expressly set forth in the solicitation, the demonstration of the proposed solution must be identical in all respects to the product or products being offered. Demonstration of devices will be made at the Proposer's expense.

Additional 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 and demonstration arrangements.

## **10.0 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 opening 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.

## **11.0 DISABLED VETERAN BUSINESS ENTERPRISE PARTICIPATION GOALS**

Proposers must indicate if their organization qualifies as a DVBE firm (as defined in pursuant to the definition listed in Section 1896.61 of Title 2, and Section 999 of the Military and Veterans Code, California Code of Regulations) by submitting Attachment 6.

## 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 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.

Richard Holst, Assistant Court Executive Officer  
Superior Court of California, County of Butte  
1 Court Street, Oroville CA 95965