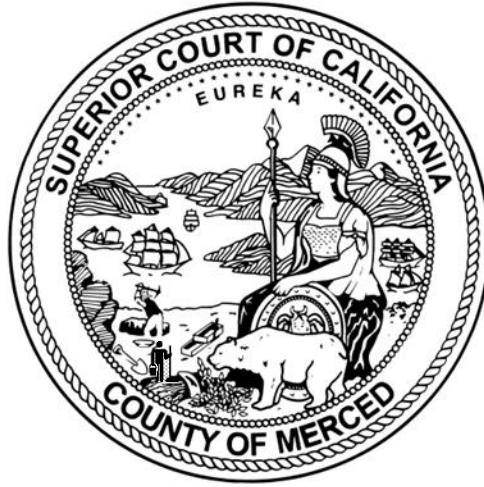


RFP Title: CPC Classification and Comp Study
RFP Number: 2324-CCS1023



REQUEST FOR PROPOSALS

SUPERIOR COURT OF CALIFORNIA, COUNTY OF MERCED

REGARDING:

COURT PROCESSING CLERK CLASSIFICATION AND
COMPENSATION STUDY

RFP NUMBER 2324-CCS1023

PROPOSALS DUE:

November 30, 2023, no later than *5:00* p.m. Pacific time

1.0 BACKGROUND INFORMATION

Merced County Superior Court (“Court”) is seeking an individual(s) or entity to conduct a comprehensive classification and compensation study and analysis for the Court Processing Clerk Series. The Court is seeking a study on the job classification to other “like” classifications in addition to the compensation plans. The Court desires to have a study completed using data from comparator courts, government agencies, and any suggested private sector employers, based on a set of job classifications, to be initially determined at the outset. The Merced County labor market area and cost of living should be factored into the selection of comparators and a report on the findings including any variances.

The Court is located in Central California and is considered a mid-sized court compared to the other Superior Courts in the State of California. The Court is primarily state-funded through funding appropriated in the State Budget Act and allocated by the Judicial Council of California, the policy-making and administrative body for the judicial branch.

The Court currently has three (3) job classifications in the Court Processing Clerk Series. (See Attachment A – Court Processing Clerk Job Classification Series included). A copy of the Court’s personnel policies and procedures is attached as Attachment B. Also attached are the Memorandum of Understanding for the bargaining unit represented by the Local 1, AFSCME Council 57 as Attachment C.

2.0 DESCRIPTION OF SERVICES AND DELIVERABLES

2.1 Scope of Work

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

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.

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EVENT	DATE
RFP issued	October 30, 2023
Pre-Proposal Conference	November 7, 2023, at 9:00 a.m.
Deadline for questions (email questions to Merced.RFP@mercedcourt.org)	November 14, 2023
Questions and answers posted	November 17, 2023
Latest date and time proposal may be submitted	November 30, 2023, by 5:00 p.m.
Anticipated interview dates (<i>estimate only</i>)	December 8, 2023
Evaluation of proposals (<i>estimate only</i>)	December 11, 2023
Notice of Intent to Award (<i>estimate only</i>)	December 15, 2023
Negotiations and execution of contract (<i>estimate only</i>)	December 18, 2023
Contract start date (<i>estimate only</i>)	January 1, 2024

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.
Attachment 2: Standard Terms and Conditions	<p>If selected, the person or entity submitting a proposal (the “Proposer”) must sign a Court 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>
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	The Proposer must complete the Darfur Contracting Act Certification and submit the completed certification with its proposal.
Attachment 6: Payee Data Record Form	This form contains information the Court requires in order to process payments and must be submitted with the proposal.
Attachment 7: 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.
Attachment 8: 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.
Attachment B: Positions - Pay Range	Superior Court of California, County of Merced: Positions-Pay Range included).
Attachment C: Personnel Policies and Procedures	Court’s personnel policies and procedures
Attachment D: MOU	Memorandum of Understanding for the bargaining unit represented by the Local 1, AFSCME Council 57

5.0 PAYMENT INFORMATION

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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 pre-proposal conference will be held through Zoom with the following link:

Join ZoomGov Meeting

<https://mercedcourt-org.zoomgov.com/j/1619609461?pwd=RTE1aDB1eXdoQVNNM29RUTlpWE1Hdz09>

Meeting ID: 161 960 9461

Passcode: 405462

One tap mobile

+16692545252,,1619609461# US (San Jose)

+16692161590,,1619609461# US (San Jose)

Dial by your location

- +1 669 254 5252 US (San Jose)
- +1 669 216 1590 US (San Jose)
- +1 415 449 4000 US (US Spanish Line)
- +1 646 964 1167 US (US Spanish Line)
- +1 551 285 1373 US (New Jersey)
- +1 646 828 7666 US (New York)
- 833 568 8864 US Toll-free

Meeting ID: 161 960 9461

Find your local number: <https://mercedcourt-org.zoomgov.com/u/adx8Zsfo2o>

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

Merced Superior Court
Attn: Finance RFP#: 2324-CCS1023
627 W. 21st Street
Merced, CA 95340
- iv. 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, 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, 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 Court may check references listed by the Proposer.
 - E. Proposed method to complete the work along with estimated timeframe of all deliverables required.
 - iii. A sample of a prior report may be included.
 - 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.

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.

8.2 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 including but not limited to, labor, administrative, operating, and/or incidentals expenses.
- B. 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

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 <http://www.mercedcourt.org/vendors.shtml>.

CRITERION	MAXIMUM NUMBER OF POINTS
Quality of work plan submitted	27
Experience on similar assignments	20
Acceptance of the Terms and Conditions Cost	10
Credentials of staff to be assigned to the project	10
Cost	30
DVBE Incentive	3

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 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 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 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 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. 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 Court 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 Court. If the Proposer fails to do so, the Court 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 Court 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 Court 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). 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

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the Court 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. 21st Street
Merced, CA 95340

END OF RFP