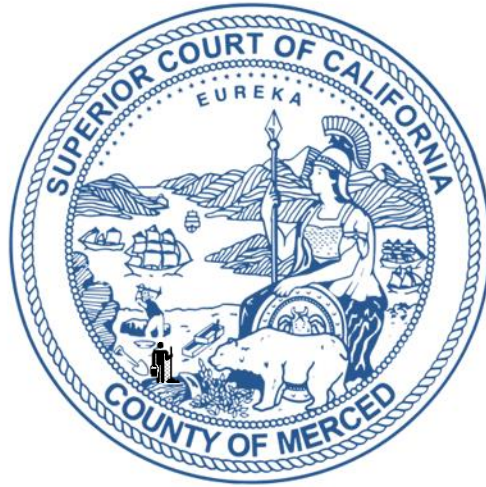


RFP Title: *IT Infrastructure*

RFP Number: 2324-ITI0324



REQUEST FOR PROPOSALS

SUPERIOR COURT OF CALIFORNIA, COUNTY OF MERCED

REGARDING:

IT INFRASTRUCTURE

RFP NUMBER 2324-ITI0324

PROPOSALS DUE:

May 3rd, 2024, no later than 5:00 p.m. Pacific time

1.0 BACKGROUND INFORMATION

The Merced Superior Court (“Court”) welcomes experienced, well qualified vendors (“Quoters”) to participate in this Request for Proposal (“RFP”) for the purchase and installation of an enterprise server solution (Dell or HPE systems preferred), and to progress our current goals of a hybrid cloud architecture. These nodes will replace our current blade enclosure/blades + SAN solution that is reaching EOSL and refresh our core compute and storage capabilities.

2.0 DESCRIPTION OF GOODS AND/OR SERVICES

2.1 The JBE seeks goods and services meeting the following minimum specifications:

Hardware Multi-node server solution with at least 100TB (useable) of combined storage (hybrid configuration of flash SSD and physical SAS HDD are preferred), 3.0TB of latest gen ECC RAM, and minimum of Intel Xeon dual-processor configuration (Silver or Gold level processor model). 10G SPF+ on-board NIC connections (LAG and LACP compatible) redundant capable connections.

Software vCenter and vSphere 8.0 u(x) pre-loaded and configured w/ accompanying vSphere+ cloud licensing model

Support Minimum of **3-year Hardware/Software support** (24x7x365 w/ NBD replacement and 4-hour onsite technician support), please **also submit 5-year term under same requirements**. Onsite vendor installation/configuration of new system is a mandatory inclusion in this quote.

2.2 Shipping Information

- Shipping Address: **2260 N Street, Merced, CA 95340.**
- Delivery hours: 8:00 a.m.-5:00 p.m., Monday – Friday, excluding state holidays.
- Call at I.T staff in advance before delivering.
- Inside Delivery, lift gate truck is required - located behind the building (M Street side in the alley between the police station and the courthouse).
- If pallets are used, delivery company must remove them from facility when finished.

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	April 2, 2024
Deadline for questions	April 12, 2024
Questions and answers posted	April 18, 2024
Latest date and time proposal may be submitted	May 3rd, 2024, no later than 5:00 p.m. Pacific time
Anticipated interview dates (<i>estimate only</i>)	May 7, 2024
Evaluation of proposals (<i>estimate only</i>)	May 6, 2024
Public opening of cost portion of proposals at the Administration office on 627 W. 21st Street, Merced, CA 95340	May 20, 2024 at 10:00 a.m.
Notice of Intent to Award (<i>estimate only</i>)	May 22, 2024
Negotiations and execution of contract (<i>estimate only</i>)	May 28, 2024
Contract start date (<i>estimate only</i>)	June 1, 2024
Contract end date (<i>estimate only - subject to selected terms</i>)	May 30, 2029

4.0 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: JBE Standard Terms and Conditions	<p>If selected, the person or entity submitting a proposal (the “Proposer”) must sign this JBE Standard Form agreement. If exceptions are identified or additional provisions proposed, the Proposer must also submit a redlined version of the Terms and Conditions that clearly identifies the benefit to the Court from the proposed changes and provides written explanation or rationale for each proposed change. The following provisions within the Terms and Conditions are non-negotiable provisions (“Mandatory Terms”):</p> <ul style="list-style-type: none"> 3.1 Authorization/Compliance with Laws 3.4 Not an Expatriate Corporation 3.7 No Harassment/Nondiscrimination 3.8 Domestic Partners, Spouses, Gender, and Gender Identity Discrimination 3.9 National Labor Relations Board Orders 3.10 Child Support Compliance Act 3.13 Malicious Code 9.1 Agreements Providing for Compensation of \$50,000 or more; Union Activities Restrictions. 9.2 Competitively Bid Contracts; Antitrust Claims 9.5 Loss Leader Prohibition 9.8 Federally-funded Agreements 9.10 Small Business Preference Contract Clause 10.1 Audits
Attachment 3: 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>Note: A material exception (addition, deletion, or other modification) to a Minimum Term will render a proposal non-responsive. The JBE, in its sole discretion, will determine what constitutes a material exception.</p>

Attachment 4: General Certifications Form	The Proposer must complete the General Certifications Form and submit the completed form with its proposal.
Attachment 5: Small Business Declaration	The Proposer must complete this form only if it wishes to claim the small business preference associated with this solicitation.
Attachment 6: Payee Data Record Form	This form contains information the JBE requires in order to process payments and must be submitted with the proposal.
Attachment 7: Unruh and FEHA Certification	The Proposer must complete the Unruh Civil Rights Act and California Fair Employment and Housing Act Certification.
Attachment 8: Darfur Contracting Act Certification	The Proposer must complete the Darfur Contracting Act Certification and submit the completed certification with its proposal.

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 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. 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-JS0124
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].

6.3 Late proposals will not be accepted.

7.0 PROPOSAL CONTENTS

7.1 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. 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. 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.
- C. Model number(s), specifications, or other description of the goods the Proposer proposes to supply to the JBE, including warranty information.
- D. Proposed method to complete the work.
 - i. Include implementation and deployment approach to complete the work.
 - ii. Include milestones and timelines.
 - iii. Identify the proposer and court responsibilities.
 - iv. Level of support that will be provided including points of contact and procedures that will ensure consistency and problem escalation and resolution.
- E. 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 (a) a red-lined version of the Terms and Conditions that implements all proposed changes, and (b) 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. The JBE, in its sole discretion, will determine what constitutes a material exception.**

F. 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 submit with its proposal, for itself and each of its affiliates that make sales for delivery into California, a copy of either (i) a California seller's permit issued under Revenue and Taxation Code section 6066 et seq. or (ii) a certificate of registration issued under Revenue and Taxation Code section 6226.
- 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. The Proposer must complete the Unruh Civil Rights Act and California Fair Employment and Housing Act Certification (Attachment 7) and submit the completed certification with its bid.
- v. The Proposer must complete the Darfur Contracting Act Certification (Attachment 8) and submit the completed certification with its proposal

7.2 Cost Portion. The following information must be included in the cost portion of the proposal.

- A. The cost per unit for Hardware described in 2.0
- B. A detailed line item budget showing total cost of the proposed services, including cost associated with software licensing, support, and maintenance for **both 3-years and 5-years**.
- 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 JBE reserves the right to negotiate extensions to this period.

9.0 EVALUATION OF PROPOSALS

The cost portion of proposals will be publicly opened at the date and time noted in Section 3.0 at **627 W. 21st Street, Merced, CA 95340**.

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
Product Specification and Features	30
Support and Services (customer service, response time, etc.	30
Cost	35
Acceptance of the Terms and Conditions	5

10.0 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 interview process may require a demonstration. The interview may also require a demonstration of equivalence if a brand name is included in the specifications. 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.

11.0 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, as set forth in this Section 11. **Proposers are accordingly cautioned not to include confidential, proprietary, or privileged information in proposals.**

12.0 DISABLED VETERAN BUSINESS ENTERPRISE INCENTIVE

The JBE has waived the DVBE incentive in this solicitation.

13.0 SMALL BUSINESS PREFERENCE

Small business participation is not mandatory. Failure to qualify for the small business preference will not render a proposal non-responsive.

Eligibility for and application of the small business preference is governed by the JBE’s Small Business Preference Procedures for the Procurement of Information Technology Goods and Services. The Proposer will receive a small business preference if, in the JBE’s sole determination, the Proposer has met all applicable requirements. If the Proposer receives the small business preference, the score assigned to its proposal will be increased by an amount equal to 5% of the points assigned to the highest scored proposal. If a DVBE incentive is also offered in connection with this solicitation, additional rules regarding the interaction between the small business preference and the DVBE incentive apply.

To receive the small business preference, the Proposer must be either (i) a Department of General Services (“DGS”) certified small business or microbusiness performing a commercially useful function, or (ii) a DGS-certified small business nonprofit veteran service agency.

If the Proposer wishes to seek the small business preference, the Proposer must complete and submit with its proposal the Small Business Declaration (Attachment 5). The Proposer must submit with the Small Business Declaration all materials required in the Small Business Declaration.

Failure to complete and submit the Small Business Declaration as required will result in the Proposer not receiving the small business preference. In addition, the JBE may request additional written clarifying information. Failure to provide this information as requested will result in the Proposer not receiving the small business preference.

If the Proposer receives the small business preference, (i) the Proposer will be required to complete a post-contract report; and (ii) failure to meet the small business commitment set forth in its proposal will constitute a breach of contract.

FRAUDULENT MISREPRETATION IN CONNECTION WITH THE SMALL BUSINESS PREFERENCE IS UNLAWFUL AND IS PUNISHABLE BY CIVIL PENALTIES. SEE GOVERNMENT CODE SECTION 14842.5.

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

Merced Superior Court
Attn: Finance
627 W. 21st Street
Merced, CA 95340