

IFB Title: *Vehicle Acquisition*

IFB Number: *2017-08*

# INVITATION FOR BIDS

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***SUPERIOR COURT OF CALIFORNIA***

***COUNTY OF SANTA BARBARA***

**REGARDING:**

*Vehicle Acquisition IFB 2017-08*

**BIDS DUE:**

*Friday, June 2* NO LATER THAN **3:00** P.M. PACIFIC TIME

## **1.0 BACKGROUND INFORMATION**

- 1.1 The Superior Court of California, County of Santa Barbara (JBE) is requesting bids for the purchase of new passenger vehicle(s) for use on highways, city, and county roads. The JBE is interested in the purchase of between one (1) and four (4) vehicles.

## **2.0 Description of Goods**

The JBE seeks goods meeting the following specifications:

### **2.1 GENERAL SPECIFICATIONS:**

- A. 4 Door Passenger Vehicle
- B. Mid-Sized
- C. Automatic Transmission
- D. Air Conditioning
- E. Power Windows
- F. AM/FM Radio
- G. If offered by the manufacturer, vehicles shall include a mounted spare tire and wheel changing tools, a temporary repair kit/spare inflator kit (if a full size spare is available, then it shall be included).
- H. Include factory authorized manufacturer's warranty; bumper to bumper warranty, not less than 3 years or 36,000 miles
- I. Fuel: Gasoline or Hybrid Electric (*Not Plug-in Electric*)
- J. The vehicle shall be new (*unused*), and must meet or exceed the requirements listed in this solicitation, and shall include all equipment and accessories indicated as standard equipment by the manufacturer. Optional equipment specified in the above General Specifications shall be included in the bid contract price.
- K. Additional factory options shall be listed with the additional cost.

### **2.2 REQUIREMENTS:**

The vehicle shall be fully compliant with all Federal and State regulations for vehicles in effect as of the date of manufacture.

### **2.3 ADDITIONAL REQUIREMENTS:**

- A. Bidders shall furnish complete information on equipment they propose to furnish.
- B. Only new models in current production will be considered.
- C. Acceptance of this equipment by the JBE shall not waive responsibility of the selected Bidder to provide a unit that is in compliance with the specifications as written.
- D. No part or parts defective in construction or deficient in any of the requirements of the specifications will be considered as accepted in consequence of the failure of any employee of the JBE.
- E. It is deemed the responsibility of the Bidder, as an expert in this field, to evaluate the specifications, and bid a vehicle that is fully compatible with current industry standards.

- F. The selected Bidder may be asked to provide satisfactory evidence to the JBE that it has an established record of promptly satisfying parts when requested.
- G. The vehicle must have the capability of reaching a reasonable on-ramp merging speed, while fully loaded.
- H. Bidder to guarantee that various component groups, such as, but not limited to engine-transmission-drive line differential, be compatible and result in, the satisfactory performance for vehicle's intended use.
- I. Acceptance of the vehicle by the JBE does not release the selected Bidder from responsibility of equipment meeting specifications, if some lack in these specifications is discovered at a later date.
- J. A vehicle not in compliance with all requirements of the specifications shall be returned to the dealer and shall not be considered for acceptance until any and all such deficiencies are corrected.
- K. Invoice date must reflect actual delivery date of the vehicle. If the vehicle is returned for deficiency correction, the invoice date shall be updated to reflect actual delivery date, once all deficiencies are corrected.
- L. All vehicles must be delivered free of rail dust, industrial fallout, scratches, swirl marks, and any other type of blemishes on the vehicle's exterior surface.

**3.0 Timeline for this IFB**

The JBE has developed the following list of key events related to this IFB. All dates are subject to change at the discretion of the JBE.

EVENT	DATE
IFB issued	<i>Tuesday, May 23, 2017</i>
Deadline for questions	<i>Tuesday, May 30, 2017 by 5:00 pm Pacific Time</i>
Questions and answers posted at: <a href="http://www.sbcourts.org/gi/Purchasing/index.shtm">http://www.sbcourts.org/gi/Purchasing/index.shtm</a>	<i>Wednesday, May 31, 2017 by 5:00 pm Pacific Time</i>
Latest date and time bids may be submitted Bids must be emailed to: <a href="mailto:bids@sbcourts.org">bids@sbcourts.org</a>	<i>Friday, June 2 by 3:00 pm Pacific Time</i>
Bids publicly opened	<i>Friday, June 2 at 3:00 pm Pacific Time</i>
Notice of Intent to Award ( <i>estimate only</i> )	<i>Tuesday, June 6, 2017</i>
Execution of contract ( <i>estimate only</i> )	<i>Thursday, June 8, 2017</i>

**4.0 IFB ATTACHMENTS**

The following attachments are included as part of this IFB:

ATTACHMENT	DESCRIPTION
Attachment 1: Administrative Rules Governing IFB's (Non- IT Goods)	These rules govern this solicitation. <a href="http://www.sbcourts.org/gi/Purchasing/TermsConditions/IFB/AdminRulesIFB.pdf">http://www.sbcourts.org/gi/Purchasing/TermsConditions/IFB/AdminRulesIFB.pdf</a>
Attachment 2: JBE Standard Terms and Conditions, IFB's	If selected, the person or entity submitting a bid ("Bidder") must sign a JBE Standard Form agreement containing these terms and conditions (the "Terms and Conditions"). <a href="http://www.sbcourts.org/gi/Purchasing/TermsConditions/IFB/TermsCondIFB.pdf">http://www.sbcourts.org/gi/Purchasing/TermsConditions/IFB/TermsCondIFB.pdf</a>
Attachment 3: Bidder's Acceptance of Terms and Conditions, IFB's	On this form, the Bidder must indicate acceptance of the Terms and Conditions or identify exceptions to the Terms and Conditions and submit the completed form with its bid. <a href="http://www.sbcourts.org/gi/Purchasing/TermsConditions/Acceptance.pdf">http://www.sbcourts.org/gi/Purchasing/TermsConditions/Acceptance.pdf</a> <b>Note: A material exception to the Terms and Conditions (addition, deletion, or other modification) will render a bid non-responsive.</b>
Attachment 4: Darfur Contracting Act Certification	Bidder must complete the Darfur Contracting Act Certification and submit the completed certification with its bid. <a href="http://www.sbcourts.org/gi/Purchasing/TermsConditions/DarfurActCert.pdf">http://www.sbcourts.org/gi/Purchasing/TermsConditions/DarfurActCert.pdf</a>
Attachment 5: Unruh and FEHA Certification	Bidder must complete the Unruh Civil Rights Act and California Fair Employment and Housing Act Certification and submit the completed certification with its bid. <a href="http://www.sbcourts.org/gi/Purchasing/TermsConditions/UnruhCert.pdf">http://www.sbcourts.org/gi/Purchasing/TermsConditions/UnruhCert.pdf</a>
Attachment 6: General Certifications	Bidder must complete the General Certifications Form and submit the completed certification with its bid. <a href="http://www.sbcourts.org/gi/Purchasing/TermsConditions/GeneralCert.pdf">http://www.sbcourts.org/gi/Purchasing/TermsConditions/GeneralCert.pdf</a>
Attachment 7: Bidder/Contractor Questionnaire	Bidder must complete the Bidder/Contractor Questionnaire and submit the completed form with its bid. <a href="http://www.sbcourts.org/gi/Purchasing/TermsConditions/IFB/BidderQaire.pdf">http://www.sbcourts.org/gi/Purchasing/TermsConditions/IFB/BidderQaire.pdf</a>
Attachment 8: Specifications Checklist	Bidder must complete the Specifications Checklist and submit the completed form with its bid. <a href="http://www.sbcourts.org/gi/Purchasing/TermsConditions/IFB/SpecChecklist.pdf">http://www.sbcourts.org/gi/Purchasing/TermsConditions/IFB/SpecChecklist.pdf</a>
Attachment 9: Cost Information	Bidder must complete the Cost Information and submit it in a sealed envelope, separate from the non-cost information. <a href="http://www.sbcourts.org/gi/Purchasing/TermsConditions/IFB/CostInfo.pdf">http://www.sbcourts.org/gi/Purchasing/TermsConditions/IFB/CostInfo.pdf</a>

## 5.0 SUBMISSION OF BIDS

- 5.1 Bids should provide straightforward, concise information that satisfies the requirements of the "Bid Contents" section below. Expensive bindings, color displays, and the like are not necessary or desired. Emphasis should be placed on conformity to the IFB's instructions and requirements, and completeness and clarity of content.
- 5.2 The Bidder must submit its bid in two parts, the non-cost information and the cost information.

- A. The Bidder must submit **one (1) original** of the non-cost information. The original must be signed by an authorized representative of the Bidder. The Bidder must write the IFB title and number on the subject line of the email.
  - B. The Bidder must submit **one (1) original** of the cost information. The original must be signed by an authorized representative of the Bidder. The cost information must be submitted to the JBE via email to [bids@sbcourts.org](mailto:bids@sbcourts.org). The Bidder must write the IFB title and number on the subject line of the email. JBE staff will not have access to the bids email account until the bid opening date and time.
- 5.3 Bids must be delivered by the date and time listed on the coversheet of this IFB to:  
[bids@sbcourts.org](mailto:bids@sbcourts.org)
- 5.4 **Late bids will not be accepted.**
- 5.5 Only written bids will be accepted.

**6.0 BID CONTENTS (LINKS FOR THE ATTACHMENTS ARE LOCATED IN SECTION 4 ABOVE)**

- 6.1 **Non-Cost Information.** The following must be included in the non-cost information. A bid lacking any of the following may be deemed non-responsive.
- A. Bidder must complete **Attachment 7, Bidder Questionnaire**, and submit the completed form with its bid.
  - B. Bidder must complete **Attachment 8, Specifications Checklist**, and submit the completed form with its bid.
- 6.2 **Certifications, Attachments, and other requirements.** Bidder must include the following completed attachments and certifications in its bid:
- A. **Attachment 3, Bidder's Acceptance of Terms and Conditions.** The Bidder 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.
    - 1. If exceptions are identified, the Bidder 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.  
**Note: A material exception to the Terms and Conditions (addition, deletion, or other modification) will render a bid non-responsive.**
  - B. **Attachment 4, Darfur Contracting Act Certification.** Bidder must complete the Darfur Contracting Act Certification and submit the completed certification with its bid.
  - C. **Attachment 5, Unruh Civil Rights Act and California Fair Employment and Housing Act Certification.** Bidder must complete and submit the completed certification with its bid.
  - D. **California Seller's Permit.** Bidder must submit with its bid, for itself and each of its affiliates that make sales for delivery into California, a copy of either (a) a California seller's permit issued under Revenue and Taxation Code section 6066 et seq. or (b) a certificate of registration issued under Revenue and Taxation Code section 6226.

- E. **Qualified to Conduct Business in California.** If (a) Bidder is a corporation, Limited Liability Company or limited partnership, and (b) the agreement resulting from this IFB will be performed in California, proof that Bidder is in good standing and qualified to conduct business in California.
  - F. **Proof of financial solvency or stability.** Bidder must submit with its bid proof of financial solvency or stability (*e.g., balance sheets and income statements*).
- 6.3 **Attachment 9, Cost Information.** Bidder must complete the Cost Information and submit it to [bids@sbcourts.org](mailto:bids@sbcourts.org). The cost per unit for the goods described in the non-cost information.

**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 Bidder's bid is an irrevocable offer for ninety (90) days following the bid 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.

## 8.0 EVALUATION OF BIDS

- A. The bids will be publicly opened at *3:00 pm Pacific Time on Friday, June 2 at the 2<sup>nd</sup> Floor Clerk's Office located at 1100 Anacapa Street, Santa Barbara, CA 93101.*
- B. The JBE will evaluate the bids as described in the Administrative Rules. Award, if made, will be to the lowest responsible bidder meeting the specifications contained herein.
- C. The JBE may conduct interviews with Bidders to clarify aspects of their bids. The interview process may 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 Bidders for any costs incurred in traveling to or from the interview location. The JBE will notify eligible Bidders regarding interview arrangements.
- D. If a contract will be awarded, the JBE will post an intent to award notice on the court website under this IFB document.

## 9.0 CONFIDENTIAL OR PROPRIETARY INFORMATION

One copy of each bid will be retained by the JBE for official files and will become a public record. The Public Contract Code requires that bids be publicly opened and made available for public inspection. Accordingly, Bidder should not include confidential or proprietary information in its bid.

## 10.0 DISABLE VETERAN BUSINESS ENTERPRISE PARTICIPATION GOALS

- A. Qualification for the Disabled Veterans Business Enterprise (DVBE) incentive is not mandatory. Failure to qualify for the DVBE incentive will not render a bid non-responsive.

- B. Eligibility for and application of the DVBE incentive is governed by the JBE's DVBE Rules and Procedures. Bidder will receive a DVBE incentive if, in the JBE's sole determination, Bidder has met all applicable requirements. If Bidder receives the DVBE incentive, the dollar amount of its bid will be reduced (for evaluation purposes only) by an amount equal to 3% of the lowest responsible bid, not to exceed \$50,000.
- C. To receive the DVBE incentive, at least 3% of the purchase order 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, Bidder may have an approved Business Utilization Plan ("BUP") on file with the California Department of General Services ("DGS").
- D. If Bidder wishes to seek the DVBE incentive:
- i. Bidder must complete and submit with its bid, the DVBE Bidder Declaration. Bidder must submit with the DVBE Bidder Declaration all materials required in the DVBE Bidder Declaration.  
<http://www.sbcourts.org/gi/Purchasing/TermsConditions/DVBEBidderDeclaration.pdf>
  - ii. Bidder must also submit with its proposal, a DVBE Declaration completed and signed by each DVBE that will provide goods and/or services in connection with the contract. If Bidder is itself a DVBE, it must complete and sign the DVBE Declaration. If Bidder will use DVBE subcontractors, each DVBE subcontractor must complete and sign a DVBE Declaration. NOTE: The DVBE Declaration is not required if Bidder will qualify for the DVBE incentive using a BUP on file with DGS.  
<http://www.sbcourts.org/gi/Purchasing/TermsConditions/DVBE-Declaration.pdf>
- E. Failure to complete and submit these forms as required will result in Bidder 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 Bidder not receiving the DVBE incentive.
- F. 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.
- G. If Bidder receives the DVBE incentive: (i) Bidder will be required to complete a post-purchase order DVBE certification if DVBE subcontractors are used; (ii) Bidder 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.
- H. **Fraudulent misrepresentation in connection with the DVBE incentive is a misdemeanor and is punishable by imprisonment or fine, and violators are liable for civil penalties. See Military & Veterans Code section 999.9.**

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#### **11.0 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 Bidder 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 **Friday, May 26, 2017**. Protests should be sent to:

Darrel E. Parker  
Superior Court Executive Officer  
312 East Cook Street  
Santa Maria, CA 93454