

REQUEST FOR PROPOSALS

*SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN BERNARDINO*

**REGARDING:**

RFP 22-04 EMPLOYEE ASSISTANCE PROGRAM

**PROPOSALS DUE:**

**AUGUST 2, 2022** NO LATER THAN **1:15 P.M.** PACIFIC TIME

1. **BACKGROUND INFORMATION**

USI Insurance Services (“USI”) is conducting a marketing survey on behalf of the Superior Court of California, County of San Bernardino (“Court”). Qualified persons or entities (hereinafter referred to as “Bidder” or “Bidders”) are invited to submit a proposal for an employee assistance program with a January 1, 2023 effective date. Proposers are requested to submit rate guarantee(s) for three (3) years, one for the initial term, one for an option to renew in the second year, and same for the third year. The option to extend the contract in year 2 and 3 is exercisable at the sole discretion of the Court.

A copy of this solicitation will be posted on the following websites: [*https://caleprocure.ca.gov/pages/Events-BS3/event-search.aspx*](https://caleprocure.ca.gov/pages/Events-BS3/event-search.aspx)and [*http://www.sb-court.org/GeneralInfo/RequestforProposal.aspx*](http://www.sb-court.org/GeneralInfo/RequestforProposal.aspx).

1. **DESCRIPTION OF GOODS AND/OR SERVICES**
   1. Reference USI’s cover letter dated July 19, 2022 and the following documents*:*
      1. Exhibit C1 - ACI Summary for Open Enrollment
      2. Exhibit C2 - ACI Utilization 2021 Plan Year
      3. Exhibit C3 - ACI Utilization Q1 2022 Plan Year
      4. Exhibit C4 - ACI Service Agreement
      5. Exhibit D - EAP RFP #22-04 Benefits Matrix - MUST COMPLETE
      6. Exhibit E – 2022 Benefit fair locations
      7. EAP Census Report for RFP *to be provided to Bidders by USI upon request.*
2. **TIMELINE FOR THIS RFP (**All dates subject to change at the discretion of the Court)

| **EVENT** | **DATE** |
| --- | --- |
| RFP issued | July 19, 2022 |
| Deadline for questions | July 25, 2022  1:15 PM Pacific Time |
| Questions and answers posted *(estimate only)* | July 26, 2022 |
| **Latest date and time proposal may be submitted** | **August 2, 2022**  **1:15 PM Pacific Time** |
| Evaluation of proposals *(estimate only)* | Week of August 15, 2022 |
| Anticipated interview dates, if required *(estimate only)* | August 22, 2022 |
| Notice of Intent to Award *(estimate only)* | September 16, 2022 |
| Negotiations and execution of contract *(estimate only)* | October 3, 2022 |
| Contract start date *(estimate only)* | January 1, 2023 |
| Contract end date *(estimate only if all options exercised)* | December 31, 2025 |

1. **RFP ATTACHMENTS**

| **ATTACHMENT** | **DESCRIPTION** |
| --- | --- |
| Attachment 1 - Administrative Rules Governing SOLICITATIONS | These rules govern this solicitation. **Please read carefully.** |
| Attachment 2 – Services - Short Form Agreement Terms | If selected, the person or entity submitting a proposal must sign an agreement containing these terms and conditions. |
| Attachment 3 - Acceptance of Short Form Agreement Terms | Form to indicate Bidder’s acceptance of the terms and conditions. |
| Attachment 4 - General Certifications Form | Form to indicate Bidder’s agreement on required general certifications. |
| Attachment 5 - Good Standing Form | Form to indicate Bidder’s good standing. |
| Attachment 6 - Darfur Contracting Act Certification | Form for Bidder to certify Darfur Contracting Ace status. |
| Exhibit A - USI Marketing Letter | Information from USI for this RFP. |
| Exhibit B - Payment Provisions | Form containing information regarding payment terms and requirements to process invoices for payment. |
| Exhibit C1 - C4 - ACI documents | Current provider information. |
| Exhibit D - EAP RFP #22-04 Benefits Matrix | Spreadsheet to be completed by Bidder |
| Exhibit E - 2022 Benefit Fair Locations | Locations of benefit fairs for the Court held in 2022. |

1. **PAYMENT INFORMATION**

See Exhibit B: Payment Provisions.

1. **PRE-PROPOSAL CONFERENCE**

A pre-bid conference is not scheduled for this solicitation. Questions are to be submitted per Attachment 1 Section 2 Questions Regarding the Solicitation.

1. **SUBMISSION OF PROPOSALS**
   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.
   2. The Bidder must submit its proposal in two ways:
      1. The Bidder must submit **one (1) paper original** of the entire proposal in a sealed envelope or package. The original must be signed by an authorized representative of the Bidder. *The Bidder must write the RFP title and number on the outside of the sealed envelope.*
      2. The Bidder must submit **one (1) electronic version** of the entire proposal via email to scccsb.rfps@usi.com. The rate or fee information and benefits matrix should be in excel; all others should be in pdf format with live links. *The Bidder must include the RFP title and number on the subject line of the email**. Please submit this email* ***by 1:15pm*** *on August 2, 2022.*
   3. Proposals must be delivered by the date and time listed on the coversheet of this RFP to:

USI Insurance Services

Attn: SCCCSB RFP Team

21250 Hawthorne Blvd., Suite 380

Torrance, CA 90503

(424) 390-0000 (for delivery purposes only)

* 1. Late proposals will not be accepted.
  2. Only written proposals will be accepted. Proposals must be sent by FedEx or UPS or delivered by hand. Proposals may not be transmitted by fax. *The RFP title and number must be stated on the outside of the delivery envelope or package*

1. **PROPOSAL CONTENTS**
   1. All information submitted in proposal must be clearly legible. The following information must be included in the proposal. A proposal lacking any of the following information may be deemed non-responsive:
      1. Bidder’s legal name, address, and telephone number.
      2. Name, title, address (if different), telephone number, and email address of the individual who will act as the Bidder’s designated representative for the purposes of this RFP.
      3. Names, addresses, and telephone numbers of a minimum of three (3) clients for whom the Bidder has conducted similar services. The Court may check references listed by the Bidder.
      4. Court Attachments 3-6 and USI Matrix.

Bidder must include the following properly completed attachments or exhibits:

* + - 1. Acceptance of Short Form Agreement Terms
      2. General Certifications Form
      3. Good Standing Form
      4. Darfur Contracting Act Certification
    1. USI required spreadsheet: Exhibit D - EAP RFP 22-04 Benefits Matrix.
    2. Proposed plans and rates, including rate guarantee(s).

1. **OFFER PERIOD**

A Bidder’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.

1. **EVALUATION OF PROPOSALS**
   1. The Court will evaluate proposals as described in the Administrative Rules (Attachment 1) on a 100-point scale using the criteria set forth in the table below:

| **CRITERION** | **maximum number of points** |
| --- | --- |
| Quality of Plan | 60 Points |
| Cost | 30 Points |
| Acceptance of Terms and Conditions | 10 Points |

* 1. Award, if made, will be to the highest scored proposal. If a contract will be awarded, the Court will post a Notice of Intent to Award at <http://www.sb-court.org/GeneralInfo/RequestforProposal.aspx>.

1. **INTERVIEWS**

The Court may conduct interviews with one or more Bidders 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 interviews may be conducted virtually or by phone. If conducted virtually, the Court will provide its own virtual meeting platform. The Court will not reimburse Bidders for any costs incurred with the interview process. USI will notify eligible Bidders regarding interview arrangements.

1. **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 Court will not disclose (i) social security numbers, or (ii) balance sheets or income statements submitted by a Bidder 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 Court’s right to disclose information in the proposal, or (b) requiring the Court to inform or obtain the consent of the Bidder 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. Bidders are accordingly cautioned not to include confidential, proprietary, or privileged information in proposals.

1. **DISABLED VETERAN BUSINESS ENTERPRISE INCENTIVE**

The Court’s DVBE participation goal is a minimum of 3% of the value of all Court contracts in any given fiscal year (July 1 thru June 30). To implement the DVBE program the Court may grant Bidders that provide DVBE participation a DVBE incentive. The Court DVBE incentive for procurements awarded to the lowest responsible Bidder may be initially 3%. The Court DVBE incentive for procurements awarded to the highest scoring Bidder may also initially be 3%. Any Bidder claiming the DVBE incentive for any procurement must submit the appropriate certifications as part of a complete bid package. The Court will not apply the DVBE incentive without the proper certifications on file.

1. **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). 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 Court to receive a solicitation specifications protest is **two (2) days after Questions and Answers are posted**. Protests should be sent to:

Superior Court of California, County of San Bernardino

Attn: Krystal N. Lyons, General Counsel and Director of Legal Services

247 West Third Street, 3rd Floor

San Bernardino, CA 92415-0214

Throughout the review process, the Court has no obligation to delay or otherwise postpone an award of contract based on a Bidder protest. In all cases, the Court reserves the right to make an award when it is determined to be in the best interest of the Court to do so.