



REQUEST FOR PROPOSAL – PC1212

JANITORIAL SERVICES



Housing Authority of the County of San Bernardino
715 E. Brier Drive
San Bernardino, CA 92408
March 18, 2021

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I. INTRODUCTION

The Housing Authority of the County of San Bernardino (HACSB) is one of the nation's most progressive and proactive housing authorities and the largest provider of affordable housing in the County. HACSB owns 2,514 affordable housing units located throughout the County of San Bernardino. We proudly serve in excess of 30,000 people, most of whom are seniors, disabled individuals, and children.

In 2008, the agency embarked on an agency wide strategic planning process with the following objectives: help clients achieve economic independence, ensure freedom of housing choice, and save taxpayer dollars through efficient work. This has allowed us to enhance our work around our mission and service philosophy. Ultimately, our Mission of empowering all individuals and families in need to achieve an enriched quality of life by providing housing opportunities and resources throughout San Bernardino County is our top priority.

As we see the demand for affordable housing increase, the limited affordable housing supply we currently have available is not enough to house the thousands of families in need. As a developer of sustainable affordable and market rate housing, over the years we have expanded our housing stock in an attempt to meet the county's growing needs. Working diligently to acquire, build, and renovate properties, we incorporate the concept of mixed income communities, build utilizing green technology, and provide recreational and educational facilities for everyone's use.

Additionally, we are here as a steppingstone for families who need help building a foundation for a brighter future. Therefore, aside from providing housing, we assist our customers with ways of becoming economically independent. In collaboration with our partners, we provide family/individual case management and counseling; career training and job placement; program integrity; homeownership assistance; college scholarships, to name a few.

We value our vendors and contractors as partners in our mission to empower all individuals and families in need to achieve an enriched quality of life by providing housing opportunities and resources throughout San Bernardino County.

II. PURPOSE

The purpose of this Request for Proposals (RFP) is to solicit responses from qualified companies to furnish janitorial services to the Housing Authority as identified in the Scope of Work of this request.

III. CONTACT INFORMATION

This RFP is being issued, as will any addenda by the HACSB.
The contact person for the HACSB is:

Claudia Nunez, Procurement
715 E. Brier Drive
San Bernardino, CA 92408-2841
(909) 332-6341
(909) 332-6341 – Fax
cnunez@hacsb.com

IV. CONTRACT TERM

The Contract period will be for a four (4) year period beginning approximately June 2021 through June, 2025, with one single-year options to extend the contract until no later than June, 2026, or until such time as terminated per the terms of the agreement.

The option year(s) shall be exercised by written board approved contract amendments, if mutually agreed by both parties.

V. PROPOSAL TIMELINE

Release of RFP	March 18, 2021
Site Visits	April 6 – 8, 2021 (Contact for scheduled times)
Question Due	April 13, 2021 @ 2pm PST
Proposals Due	April 19, 2021 @ 2pm PST
Evaluation Process	April - May 2021
Award of Contract	June 2021

HACSB may insert elective choices such as site visit, oral interviews, presentations, demonstrations, shortlist, best and final offers, etc.

Questions regarding the contents of this RFP must be submitted via the PlanetBids website before time and date and directed to the RFP Contact listed in Section II, Paragraph A – Contact Information. All questions submitted will be answered and posted on PlanetBids website.

Site Visits will be scheduled the week of April 6 through April 8. You are required to contact Claudia Nunez via email at cnunez@hacsb.com to RSVP.

Site Visits are not mandatory, however the contractor is ultimately responsible to verify square footage for bidding.

Due to COVID-19, HACSB will be imposing the following requirements for all vendors who attend the site visits. Those who do not comply with these requirements will not be allowed to attend the site walks as these requirements are for the protection of all attendees and staff. Your cooperation in adhering to these requirements is greatly appreciated.

1. Only one (1) person, per company, will be permitted to attend the site walk.
2. A face covering will be required and must be worn during the entire duration of the site walk. HACSB WILL NOT be providing face covering to those attending the site walks.
3. Social distancing of six feet must be maintained at all times during the site visits.
4. Hand sanitizer will be supplied by HACSB.

VI. PROPOSAL CONDITIONS

A. Authorized Signatures

All proposals must be signed by an individual authorized to bind the Proposer to the provisions of the RFP.

B. Term of Offer

Proposals shall remain open, valid and subject to acceptance anytime within nine (9) months after the proposal opening.

C. Required Review

Proposers should carefully review this solicitation for defects and questionable or objectionable material. Comments concerning defects and objectionable material must be made in writing and received by the RFP contact at least ten days before the proposal opening. This will allow issuance of any necessary amendments and also help prevent the opening of a defective solicitation and exposure of proposals upon which award could not be made. Protests based on any omission or error, in the content of this RFP, may be disallowed if not brought to the written attention of the RFP Contact in Section II, Paragraph A at least five days before the Deadline for Proposals.

D. Registration with Labor Commissioner's Office Requirements

Potential vendors must be registered with the Labor Commissioners Office. This project is subject to enforcement by D.I.R. Department of Industrial Regulation. New registration requirements of the

Property Service Workers Protection Act go into effect beginning July 1, 2018. Janitorial service providers and contractors must register to comply with the law and avoid incurring penalties.

E. Questions

Proposers may submit questions regarding this RFP via PlanetBids to the RFP Contact listed in [Section III - Contact Information](#) by the date stated in [Section V – Proposed Timeline](#). All questions will be answered on PlanetBids.

F. Incurred Costs

HACSB is not obligated to pay any costs incurred by Proposer in the preparation of a proposal in response to this RFP. Proposers agree that all costs incurred in developing a proposal are the Proposer's responsibility.

G. Amendments/Addenda to RFP

HACSB reserves the right to issue addenda or amendments to this RFP if HACSB considers that changes are necessary or additional information is needed.

Changes to a proposal or withdrawal of proposals will only be allowed if acceptable requests are received prior to the deadline that is set for receipt of proposals. No amendments or withdrawals will be accepted after the deadline.

H. Best Value Evaluation

As established in this solicitation, HACSB realizes that criteria other than price are important and will award contract(s) based on the proposal that best meets the needs of HACSB. The optimal combination of quality, price, and various qualitative elements of required services will provide HACSB the greatest or best value for its money. Refer to [Section VIII - PROPOSAL REVIEW PROCESS](#).

I. Right of Rejection

Offers must comply with all the terms of the RFP, and all applicable local, state, and federal laws, codes, and regulations. HACSB may reject as non-responsive any proposal that does not comply with all of the material and substantial terms, conditions, and performance requirements of the RFP.

Proposers may not qualify the proposal nor restrict the rights of HACSB. If Proposer does so, the proposal may be determined to be a non-responsive counteroffer and the proposal may be rejected.

No proposal shall be rejected, however, if it contains a minor irregularity, defect or variation and if the irregularity, defect or variation is considered by HACSB to be immaterial or inconsequential, HACSB may choose to accept the proposal.

Minor informalities may be waived by the Procurement Department when they:

- Do not affect responsiveness;
- Are merely a matter of form or format;
- Do not change the relative standing or otherwise prejudice other offers;
- Do not change the meaning or scope of the RFP;
- Are trivial, negligible, or immaterial in nature;
- Do not reflect a material change in the work; or
- Do not constitute a substantial reservation against a requirement or provision;

In such cases the Proposer will be notified of the deficiency in the proposal and given an opportunity to correct the irregularity, defect or variation or HACSB may elect to waive the deficiency and accept the proposal.

This RFP does not commit HACSB to award a contract. HACSB reserves the right to reject any or all proposals if it is in the best interest of HACSB to do so. HACSB also reserves the right to terminate this RFP process at any time.

J. Clarification of Offers

In order to determine if a proposal is reasonably acceptable for award, communications by the Facilitator for the Evaluation Panel are permitted with a Proposer to clarify uncertainties or eliminate confusion concerning the contents of a proposal. Clarifications may not result in a material or substantive change to the proposal. The evaluation by the Facilitator may be adjusted as a result of a clarification under this section.

K. Public Records Act

All information submitted in the Proposal or in response to request for additional information is subject to disclosure under the provisions of the California Public Records Act (California Government Code section 6250, et seq.). Proposals may contain financial or other data that constitutes a trade secret. To protect such data from disclosure, Proposers should specifically identify the pages that contain confidential information by properly marking the applicable pages and inserting the following notice on the front of its response:

NOTICE

The data on pages _____ of this Proposal response, identified by an asterisk (*) or marked along the margin with a vertical line, contains information which are trade secrets. We request that such data be used only for the evaluation of our response but understand that disclosure will be limited to the extent that the HACSB determines is proper under federal, state, and local law.

The proprietary or confidential data shall be readily separable from the Proposal in order to facilitate eventual public inspection of the non-confidential portion of the Proposal.

HACSB assumes no responsibility for disclosure or use of unmarked data for any purpose. In the event disclosure of properly marked data is requested, the Proposer will be advised of the request and may expeditiously submit to the HACSB a detailed statement indicating the reasons it has for believing that the information is exempt from disclosure under federal, state, and local law. This statement will be used by the HACSB in making its determination as to whether or not disclosure is proper under federal, state or local law. The HACSB will exercise care in applying this confidentiality standard but will not be held liable for any damage or injury, which may result from any disclosure that may occur.

L. Disclosure of Criminal and Civil Proceedings

HACSB reserves the right to request the information described herein from the Proposer selected for contract award. Failure to provide the information may result in a disqualification from the selection process and no award of contract to the Proposer. HACSB also reserves the right to obtain the requested information by way of a background check performed by an investigative firm. The selected Proposer also may be requested to provide information to clarify initial responses. Negative information provided or discovered may result in disqualification from the selection process and no award of contract.

The selected Proposer may be asked to disclose whether the firm, or any of its partners, principals, members, associates or key employees (as that term is defined herein), within the last ten years, has been indicted on or had charges brought against it or them (if still pending) or convicted of any crime or offense arising directly or indirectly from the conduct of the firm's business, or whether the firm, or any of its partners, principals, members, associates or key employees, has within the last ten years, been indicted on or had charges brought against it or them (if still pending) or convicted of any crime or offense involving financial misconduct or fraud. If the response is affirmative, the Proposer will be asked to describe any such indictments or charges (and the status thereof), convictions and the surrounding circumstances in detail.

In addition, the selected Proposer may also be asked to disclose whether the firm, or any of its partners, principals, members, associates or key employees, within the last ten years, has been the subject of legal proceedings as defined herein arising directly from the provision of services by the firm or those individuals. "Legal proceedings" means any civil actions filed in a court of competent jurisdiction, or any matters filed by an administrative or regulatory body with jurisdiction

over the firm or the individuals. If the response is affirmative, the Proposer will be asked to describe any such legal proceedings (and the status and disposition thereof) and the surrounding circumstances in detail.

For purposes of this provision “key employees” includes any individuals providing direct service to HACSB. “Key employees” do not include clerical personnel providing service at the firm’s offices or locations.

M. Debarment and Suspension

Proposer certifies (using Exhibit D) that neither it nor its principals or subcontracts is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any federal department or agency as required by Executive Order 12549.

Further, Proposer affirms that it has no record of unsatisfactory performance with HACSB in the twenty-four (24) month period immediately preceding the date of issuance of this RFP.

N. Board and Staff Communications

Under no circumstances may any member of the HACSB or any staff member other than the contact specified in [Section III](#) be contacted during this RFP process, by any entity intending to submit a response to this RFP. Failure to comply with this request will result in disqualification.

O. Final Authority to Award

Depending on the contract amount, the final authority to award contracts as a result of this RFP may require approval by The Housing Authority’s Board of Commissioners.

P. Payment for Services

Payments for any and all invoices or other obligations are satisfied electronically through the Automated Clearing House (ACH) system. The Contractor will be required to authorize the HACSB to initiate payment electronically to any bank account maintained by the contractor wherever located. Contractor shall promptly comply with directions and accurately complete forms provided by HACSB required to process ACH payments.

VII. PROPOSAL SUBMISSION INSTRUCTIONS

A. GENERAL

All interested and qualified Proposers are invited to submit a proposal for consideration. Submission of a proposal indicates that the Proposer has read and understands the entire RFP, to include all appendixes, attachments, exhibits, schedules, and addendum (as applicable) and all concerns regarding the RFP have been satisfied.

Proposals must be received by the designated date and time. Late or incomplete proposals will **not** be accepted.

Proposals must be completed in all respects as required in this section. A proposal may be rejected if it is conditional or incomplete.

Proposals must be submitted in the format described in [Section VII-C - PROPOSAL FORMAT](#). Proposals are to be prepared in such a way as to provide a straightforward, concise description of capabilities to satisfy the requirements of this RFP.

B. METHOD OF SUBMISSION

Proposals must be submitted electronically. Facsimile Copies or emails will **NOT** be accepted.

Electronic bids are to be submitted online at the PlanetBids website:

<https://pbsystem.planetbids.com/portal/40135/portal-home>.

PlanetBids is also accessible from the HACSB website at: <https://hacsb.com/do-business-with-us/>

C. PROPOSAL FORMAT

Proposals shall be organized into sections as described below. Each section and page shall be clearly marked, and sequentially numbered for clarity. Proposals shall include the following minimum information:

1. Description of Organization

Provide a description of the firm's management structure, including an organizational chart that identifies all key management positions and the names and positions of staff managed. You must also describe key staff and their specific roles and responsibilities for the day-to-day management of the proposed activities.

2. Past Experience

Provide examples of recent experience (within the last 24 months) performing activities similar to the ones covered under this RFP. Examples should include a description of the tasks undertaken, actual results achieved, and the specific skills and resources applied to each task. A list of major projects, both ongoing and planned, to which the organization is committed during the time frame of this project, should also be provided. Include the staff resources devoted to those projects and the status of the projects.

3. Approach

A clear explanation of the intended approach to the project that demonstrates the Proposer's understanding of the issues, solutions, tasks, and the Proposer's ability to address them. This should directly address the specific requirements described in the Scope of Work (Exhibit A).

4. Proposed Scope of Work

Scope of Work. Contractor will perform and complete all Work described in Exhibit A – Statement of Work, in compliance with the requirements of this Contract, and to the satisfaction of HACSB.

5. Subcontracts

If the vendor intends to subcontract, describe the vendor's experience with each of the proposed subcontractors. For each proposed subcontractor provide the names, addresses, and telephone numbers for a minimum of three (3) customer references, for products and services similar to those described in this RFP. The vendor should include a brief description of the scope of products and services provided to the customer and the duration of the contract.

6. Work Plan and Methodology

Vendor shall provide a project plan that describes how the vendor intends to provide the requested services of the Scope of Work.

7. Customer Service

Describe the level of customer service that will be provided, including procedures that will ensure consistency and problem escalation and resolution. The description should include, but is not limited to:

- Customer service organizational structure
- Contact process (phone, email, fax, etc.)
- Follow up process
- Internal procedures to track customer service contact and resolution
- Escalation process to resolve outstanding customer service issues

8. References and Examples of Work

The Proposal should include at least five (5) references for recent work similar to the requirements under this RFP. References should include a contact name, address, phone number and email address. Specify the client, location, consultant firm members and participating individuals and role on team principal, project director, etc., type of work, implementation results or status, examples of work, and other relevant information as needed.

9. Reports and Material Data Sheets

Vendor shall describe the common reports that are available to HACSB. Include the type of report, the information provided in the report, the frequency of the report, the process to request the report, and the process used to deliver the report. Vendors are encouraged to include a sampling of common reports. HACSB-requested reports may include, but are not limited to: Quarterly statements of hours worked per facility; Monthly logs of service for specific high volume areas, such as public restrooms; Product usage reports; and additional reports as reasonably requested.

If some or all of the products used by Contractor to perform the Work are on CAL OSHA's "Hazardous Substances List," Contractor shall forward a completed Material Safety Data Sheet (MSDS) to HACSB's Property Manager or Maintenance Manager prior to the start of any work.

10. Invoicing

Vendor shall describe its invoicing process, including but not limited to the following:

- Description of vendor's billing system
- Availability of consolidated billing and process for consolidated billing
- Frequency of billing (weekly, monthly, etc.)
- Examples of invoices currently in use

11. Government Pricing Rates

It is expected that all vendors responding to this solicitation will offer the vendor's government or most favorable comparable rates.

VIII. PROPOSAL REVIEW PROCESS

All responses to this RFP will be initially screened for eligibility, then proposals will be reviewed as detailed below. If there is insufficient information, HACSB reserves the right to request additional information and to interview firms to discuss their proposal.

A. Minimum Proposer Qualifications (pass/fail)

All proposals will be initially evaluated to determine if they meet the following minimum requirements before proceeding to the next step(s):

1. Experience

Have at least three (3) years' experience in providing janitorial services for other similar sized entities with similar scope.

2. References

Verify that the proposal contains at least at least five (5) references for which like services have been performed within the past five (5) years; The HACSB reserves the right to contact any party that the Proposer has worked for in the past and to reject a Proposer based on past poor performance.

3. Licenses and Permits

Contractor must have all required licenses and permits to perform janitorial services.

4. Department of Industrial Regulations.

Contractor must be registered with CA DIR. Under the Property Service Workers Protection Act, every provider of janitorial services with one or more employees and one or more janitorial workers must register with the Labor Commissioner's Office and renew every year.

5. Outstanding or pending complaints

Contractor has no outstanding or pending complaints as determined through the Better Business Bureau, State of California Contractor's State License Board and State of California Department of Consumer Affairs and have no unsatisfactory record of performance with any public agency.

Neither contractor nor any of its proposed subcontractors are currently under suspension or debarment by any state or federal government agency and neither vendor nor any of its proposed subcontractors are tax delinquent with the State of California or Federal Government.

6. Capability of providing services for this agreement

Contractor has the administrative and fiscal capability to provide and manage the proposed services, and a minimum crew size to perform the work in a timely manner. Proposals must show the number of staff that will be provided to guarantee the janitorial service requirement for each site.

B. Proposer Interviews

If needed, some of the Companies that have responded may be asked to be available for interviews. If so, those companies will be given not less than three (3) business days' notice, along with the date, time and place for the interviews. Expenses will be the responsibility of the respondent.

C. Proposal Evaluation (weighted score)

Contractors' submittals will be evaluated by an evaluation panel based on the criteria listed in this section. In preparing your proposal to HACSB, it is important to clearly demonstrate expertise in the areas described in this document. Because multiple areas of expertise may be required for successfully performing projects under this RFP, the Contractor, either through in-house staff or sub-Contractors, must demonstrate expertise or have available adequate quantities of experienced personnel in all the areas described.

Contractors are encouraged to identify and clearly label in their proposal how each criterion is being fully addressed. Evaluation of responses to this RFP will be based only on the information provided in the proposal, and if applicable, interviews, and reference responses. HACSB will conduct reference checks as part of the review process, and HACSB reserves the right to request additional information or documentation from the firm regarding its submittal documents, personnel, financial viability, or other items in order to complete the selection process.

The following criteria will be utilized to evaluate each proposal using a weighted point system and an aggregate total of 100 points:

Evaluation Criteria	Max Points
Overall experience in executing similar projects and past performance of the proposed staff to be assigned to the project. HACSB reserves the right to contact any party the proposer has worked for in the past and to reject a proposer based on past poor performance.	30
Approach, work plan and schedule to meet the service requirements.	25
Customer Service	25
Reasonableness of cost proposal (weighted) $Score = \left(\frac{Lowest Bid Price}{Bidder's Price} \right) \times 25$	20

D. Recommendation of Award

Based on its evaluation, the panel will make a recommendation to award a contract to the proposer(s) who best meet the needs of the HACSB. Depending on the amount, the contract may need additional approvals from the HACSB Board of Commissioners [Section VI-O – Final Authority to Award](#)

IX. RFP REQUIREMENTS AND CONDITIONS

A. Minimum Requirements

This RFP sets forth the minimum requirements that all submissions shall meet. Failure to submit proposals in accordance with this request may render the proposal unacceptable.

B. Submission Requirements

Forms included within this Request for Proposal must be included with proposal, in addition to HUD form 5369-A. Failure to submit mandatory forms may result in rejection of the proposal.

C. Cancellation of the RFP

The HACSB reserves the right to cancel this RFP at any time, for any reason, and without liability if cancellation is deemed to be in the best interest of the HACSB. The proposer assumes the sole risk and responsibility for all expenses connected with the preparation of its proposal.

D. Collusion

Proposer, by submitting a proposal, hereby certifies (using Exhibit E) that no officer, agent, or employee of the HACSB has a pecuniary interest in this Proposal; that the Proposal is made in good faith without fraud, collusion, or connection of any kind with any other proposer; and that the proposer is competing solely in its own behalf without connection with, or obligation to any undisclosed person or company.

E. Disputes

In case of any doubt or differences of opinions as to the participation sought hereunder, or the interpretation of the provisions of the RFP, the dispute process shall apply.

Contractors may appeal the recommended award, provided the appeal is in writing, contains the RFP number, is delivered to the address listed in [Section III](#) of this RFP, and is submitted according to the time requirements listed below.

The following shall apply to protests (unless otherwise specified, this section will use the term "protest" to also include disputes and appeals):

Solicitation: Contractors may protest a solicitation issued by HACSB. It must be received by the Director of Procurement and Contracts before the bid or proposal submittal deadline, or it will not be considered.

Award RFP: Any protest against the award of a contract based on an RFP must be received by the Director of Procurement and Contracts no later than two full business days after the bid submittal deadline, or before award of the contract, whichever is earlier, or the protest will not be considered.

Award RFP/RFQ: Any protest against the award of a contract based on an RFP or RFQ or appeal of a decision by HACSB to reject a proposal, must be received by the Director of Procurement and Contracts within three business days after notification to an unsuccessful proposer that they were not selected, or the protest will not be considered.

Rejection of Bid: Any protest of a decision by HACSB to reject a bid submitted in response to an RFP must be received by the Director of Procurement and Contracts within two business days after being notified in writing of HACSB's decision, or the appeal will not be considered.

A written response will be directed to the appealing Contractor within fourteen (14) calendar days of receipt of the appeal, advising of the decision with regard to the appeal and the basis for the decision. The decision of the HACSB shall be final and binding upon all parties.

X. INSURANCE REQUIREMENTS

A. Proof of Insurance

Insurance shall not be terminated or expire without thirty (30) days written notice and is required to be maintained in force until completion of the contract. The Contractor shall require all

subcontractors used in the performance of this contract to name HACSB as an additional insured. Following are the standard types and minimum amounts.

- General Liability:** \$1,000,000; per occurrence for bodily injury, personal injury and property damage liability; *HACSB Additional Insured* or,
- Commercial General Liability:** \$3,000,000; combined single limit bodily and property damage liability per occurrence; *HACSB additional named insured.*
- Comprehensive Automobile Liability:** \$1,000,000; combined single limit bodily and property damage liability per occurrence and aggregate; *HACSB Additional Insured.*
- Errors and Omissions Liability:** \$1,000,000; combined single limit bodily and property damage liability per occurrence and \$3,000,000 aggregate or,
- Professional Liability:** \$1,000,000; per occurrence and aggregate.
- Workers' Compensation:** statutory limits or,
- Self Insurance Program:** a State Approved program in an amount and form that meets all applicable requirements of the Labor Code of the State of California.
- Environmental Liability:** \$500,000; per occurrence and aggregate; *HACSB Additional Insured.*
- Owner's Liability:** 100% of insurable value of the work, Builder's Risk, Extended coverage for Vandalism and Malicious Mischief, if required; *HACSB additional named insured.*
- Fire Insurance with Extended Coverage:** 100% of insurable value of the work; Builder's Risk, Extended coverage including Vandalism and Malicious Mischief, if required; *HACSB Additional Insured.*

Failure to provide proof of insurance or failure to maintain insurance as required in this bid, or by law; are grounds for immediate termination of the contract. In addition, the awarded bidder should be liable for all re-procurement costs and any other remedies under law.

B. Indemnification and Insurance Requirements

1. Indemnification

The Contractor agrees to indemnify, defend and hold harmless HACSB and its authorized officers, employees, agents and volunteers from any and all claims, actions, losses, damages, and/or liability arising out of this Contract from any cause whatsoever, including the acts, errors or omissions of any person and for any costs or expenses incurred by HACSB on account of any claim therefore, except where such indemnification is prohibited by law.

2. Additional Named Insured

All policies, except for the Workers' Compensation, Errors and Omissions and Professional Liability policies, shall contain additional endorsements naming HACSB and its officers, employees, agents and volunteers as additional named insured with respect to liabilities arising out of the performance of services hereunder.

3. Waiver of Subrogation Rights

The Contractor shall require the carriers of the above required coverages to waive all rights of subrogation against HACSB, its officers, employees, agents, volunteers, Contractors and subcontractors.

4. Policies Primary and Non-Contributory

All policies required above are to be primary and non-contributory with any insurance or self-insurance programs carried or administered by HACSB.

5. Proof of Coverage

The Contractor shall immediately furnish certificates of insurance to HACSB Procurement Department administering the Contract evidencing the insurance coverage, including the

endorsements above required, prior to the commencement of performance of services hereunder, which certificates shall provide that such insurance shall not be terminated or expire without thirty (30) days written notice to the Department. Contractor shall maintain such insurance from the time Contractor commences performance of services hereunder until the completion of such services. Within sixty (60) days of the commencement of this Agreement, the Contractor shall furnish certified copies of the policies and all endorsements.

6. Insurance Review

The above insurance requirements are subject to periodic review by HACSB. HACSB's Risk Manager is authorized, but not required, to reduce or waive any of the above insurance requirements whenever the Risk Manager determines that any of the above insurance is not available, is unreasonably priced, or is not needed to protect the interests of HACSB. In addition, if the Risk Manager determines that heretofore, unreasonably priced or unavailable types of insurance coverage or coverage limits become reasonably priced or available, the Risk Manager is authorized but not required, to change the above insurance requirements, to require additional types of insurance coverage or higher coverage limits, provided that any such change is reasonable in light of past claims against HACSB, inflation, or any other item reasonably related to HACSB's risk. Any such reduction or waiver for the entire term of the Agreement and any change requiring additional types of insurance coverage or higher coverage limits must be made by amendment to this Agreement. Contractor agrees to execute any such amendment within thirty (30) days of receipt.

XI. CONTRACT CONDITIONS

A. Americans with Disabilities Act

Proposer must comply with all applicable requirements of federal and state civil rights law and rehabilitation statutes.

B. Law of the State of California

The resulting contract will be entered into within the State of California and the law of said state, whether substantive or procedural, shall apply to the contract, and all statutory, charter and ordinance provisions that is applicable to public contracts within the County of San Bernardino and the State of California shall be followed with respect to the contract.

C. Contract Terms and Final Selection

The selected company will be expected to sign the HACSB's Contract Agreement, which will specify the term of service, likely to be annually. If the selected applicant and the HACSB cannot come to terms with respect to the contract, the HACSB reserves the right to select the next most qualified applicant or to terminate this RFP and to re-issue a new RFP if no Proposer is acceptable to the HACSB.

D. Section 3 Provisions

The work to be performed under this contract is subject to the requirements of Section 3 of the Housing and Urban Development Act of 1968 and its amendment by the Housing and Community Development Act of 1992, implemented by HUD at 24 CFR Part 135. The purpose of Section 3 is to ensure that, to the greatest extent feasible, employment, training, and business opportunities created by HUD financial assistance be directed to low and very-low income persons, particularly persons who are recipients of HUD assistance for housing. A contractor recommended for award must comply (using Exhibit F) with Section 3 requirements.

E. Federal Lobbyist Requirements

A Bidder is prohibited by the Department of Interior and Related Agencies Appropriations Act, known as the Byrd Amendments, and HUD's 24 CFR Part 87, from using federally appropriated funds for the purpose of influencing or attempting to influence an officer or employee of any agency, a Member of Congress, and officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of a Federal grant, loan or cooperative Agreement, and any extension, continuation, renewal, amendment or

modification of said documents. Failure on the part of the Bidder or persons/sub-contractors acting on behalf of the Bidder to fully comply with the Federal Lobbyist Requirements may be subject to civil penalties.

XII. EXHIBIT AND APPENDIX LIST

EXHIBIT A – Scope of Work
EXHIBIT B – Contact Information
EXHIBIT C – Proposal Form
EXHIBIT D – References Form
EXHIBIT E – Certification Regarding Debarment or Suspension
EXHIBIT F – Non-Collusion Affidavit
EXHIBIT G – Section 3 Certification Form
EXHIBIT H – HUD 5369
EXHIBIT I – HUD 5369-A
EXHIBIT J – HUD 5369-B
EXHIBIT K – HUD 5370-C Section I
EXHIBIT L – HUD 4010

EXHIBIT A (Scope of Work)

Documents posted as attachments

EXHIBIT B - Contact Information Form

To: Claudia Nunez, Procurement Department
(909) 332-6341 (909) 915-1831 Fax, or
Email: procurement@hacsb.com

This form is to acknowledge that we are in receipt of RFP #PC1212 for Janitorial Services and have noted our intention to bid.

Vendor Name: _____

Address: _____

Contact/Title: _____

Phone: _____

Fax: _____

Email: _____

I plan to submit a Bid.

- Yes, I will be submitting a bid.
 Maybe, I need to research and get more information (contact HACSB-information listed above)

NO BID. Indicate *any* of the following. We:

- Do **NOT** desire to be retained on the vendor list.
 Desire to be retained on the vendor list, but decline to bid based on the following:
 Cannot comply with specifications/scope of work,

Explain: _____

- Cannot meet delivery requirements,

Explain: _____

- Do not regularly provide this type of product/service

Other, Explain: _____

- Please update my information as listed above.

HOW YOU FOUND OUT ABOUT THE BID. Indicate *any* of the following. We:

Checked the agency website

Received notice by fax or e-mail

Newspaper Ad, please list paper: _____

Trade Publication, please list: _____

Plan Room, please list: _____

Other, Explain: _____

EXHIBIT C - PROPOSAL FORM

Vendor Name: _____

To: The Housing Authority of the County of San Bernardino
715 E. Brier Drive
San Bernardino, CA 92408

1. The undersigned, having familiarized themselves with the local conditions affecting the cost of the work, and with the Specifications, if any thereto, hereby proposes to furnish all labor, materials, equipment and services required to provide such service(s) described in the Scope of Work (Exhibit A) in accordance therewith, for the sum of:

		Yr1 2021-22	Yr2 2022-23	Yr3 2023-24	Yr4 2024-25
	Provide monthly pricing by location- to completely clean per the specifications listed in for :				
1	Central Administrative Office 715 East Brier Drive.; San Bernardino, CA 92408				
2	Housing Programs Office 672 South Waterman Ave., San Bernardino, CA 92408				
3	Redlands Affordable Housing (Includes Community Room & Computer Center) 803 W Brockton Ave, Redlands, CA 92374				
4	Colton Affordable Housing (Includes Community Room & Computer Center) 772 Pine Street, Colton, CA 92324				
5	Chino Affordable Housing 13088 Monte Vista Ave, Chino, CA 91710				
6	Victorville HCV Office 15465 Seneca Road, Victorville, CA 92392				
7	Maplewood Affordable Housing 1738 West 9 th Street, San Bernardino, CA 92411				
8	Maplewood Achievement Center 906 Wilson Street, San Bernardino, CA 92411				
9	Upland Affordable Housing (Includes Conference Room/Gymnasium/Computer Center) 1200 N Campus Ave, Upland, CA 91786				
10	Barstow Affordable Housing 421 South 7 th Street, Barstow, CA 92311				
11	Yucaipa Crest (Includes Community Room) 12435 6 th Street, Yucaipa, CA 92399				
12	Yucaipa Terrace (Includes Community Room) 12385 6 th Street, Yucaipa, CA 92399				
	Total All Locations				

2. In submitting this proposal, it is understood that the right is reserved by the Housing Authority of the County of San Bernardino to reject any and all proposals. If written notice of the acceptance of this proposal is mailed, telegraphed, faxed, or delivered to the undersigned within thirty (30) days after the opening thereof, or at any time thereafter before this proposal is withdrawn, the undersigned agrees to a contract/agreement in the prescribed form and furnish any required insurance requirements within ten (10) days after the contract is presented to him for signature.

NOTE: The penalty for making false statements in offers is prescribed in 18 U.S.C. 1001.

Date _____, 20_____

(Company Name)

(Address)

(By)

(City, State and Zip)

(Title)

(Contractors State License Number)

(Telephone Number)

(DIR Registration Number)

(Email)

EXHIBIT D - CURRENT CLIENT REFERENCES (REQUIRED)

Submit this form with the BID, failure to do so is grounds for disqualification.

Company _____
Address _____
City, ST, Zip _____
Fax/Phone/**Email** _____
Contact Name/Title _____
Type of Engagement _____

Company _____
Address _____
City, ST, Zip _____
Fax/Phone/**Email** _____
Contact Name/Title _____
Type of Engagement _____

Company _____
Address _____
City, ST, Zip _____
Fax/Phone/**Email** _____
Contact Name/Title _____
Type of Engagement _____

Company _____
Address _____
City, ST, Zip _____
Fax/Phone/**Email** _____
Contact Name/Title _____
Type of Engagement _____

Company _____
Address _____
City, ST, Zip _____
Fax/Phone/**Email** _____
Contact Name/Title _____
Type of Engagement _____

Bidder's Company Name

Legal Structure (corp./partner/proprietor)

Principle Office Address

City, ST, Zip

Phone Number & Fax Numbers

Email

Federal Employer Identification Number

Title of Person Authorized to Sign

Print Name of Person Authorized to Sign

Date Signed and Authorized Signature

EXHIBIT E

CERTIFICATION REGARDING DEBARMENT OR SUSPENSION

In compliance with contracts and grants agreements applicable under the U.S. Federal Awards Program, the following certification is required by all Proposers submitting a response to this RFP:

The Proposer certifies, to the best of its knowledge and belief, that neither the Proposer nor its Principals are suspended, debarred, proposed for debarment, or declared ineligible for the award of contracts from the United States federal government procurement or non-procurement programs, or are listed in the *List of Parties Excluded from Federal Procurement and Non-procurement Programs* issued by the General Services Administration.

1. "Principals," for the purposes of this certification, means officers, directors, owners, partners, and persons having primary management or supervisory responsibilities within a business entity (e.g., general manager, plant manager, head of a subsidiary, division, or business segment, and similar positions).
2. The Proposer shall provide immediate written notice to the HACSB Director of Procurement and Contracts if, at any time prior to award, the Proposer learns that this certification was erroneous when submitted or has become erroneous by reason of changes circumstances.
3. This certification is a material representation of fact upon which reliance will be placed when making the award. If it is later determined that the Proposer rendered an erroneous certification, in addition to other remedies available to the HACSB government, the HACSB Director of Procurement and Contracts may terminate the contract resulting from this solicitation for default.
4. Proposer affirms that is has no record of recent unsatisfactory performance with HACSB, during the past twenty-four (24) months at a minimum.

Printed Name of
Representative:

Title:

Signature:

Date:

EXHIBIT F - Non-Collusion Affidavit of Prime Bidder/Subcontractor

(State of California, County of San Bernardino)

_____, being the first duly sworn, deposes and says that:

1. He/she is _____ of _____
(Owner, partner, etc.) (Company)

the Bidder that has submitted the attached Bid;

2. He/she is fully informed respecting the preparation and contents of the attached Bid and of all pertinent circumstances respecting such Bid;

3. Such Bid is genuine and is not a collusive or sham Bid;

4. Neither the said Bidder nor any of its officers, partners, owners, subcontractors, agents, representatives, employees or parties in interest including this affiant, has in any way colluded, conspired, connived or agreed, directly or indirectly, with any other Bidder, firm or person to submit a sham Bid in connection with the Contract for which the attached Bid has been submitted or to refrain from bidding in connection with such Contract, or has in any manner, directly or indirectly sought by agreement or collusion or communication or conference with any other Bidder, firm or person to fix price or prices in the attached Bid or of any other Bidder, or to fix overhead, profit or cost element of the bid price or the bid price of any other bidder, or to secure through any collusion, conspiracy, connivance or unlawful agreement and advantage against the Housing Authority of the County of San Bernardino or the owner of the property interested in the proposed contract;

5. No member of the Common Council, or other Officers of the Housing Authority of the County of San Bernardino, or any person in the employ of the Agency is directly or indirectly interested in the bid, or the work to which it relates, or in any portion of the profits thereof; and,

6. The price of prices quoted in the attached Bid are fair and proper and are not tainted by any collusion, conspiracy, connivance or unlawful agreement on the part of the Bidder or any of its agents, representatives, owners, employees or parties in interest including this affiant;

7. I have read and understand the attached document entitles "Additional Eligibility Requirement of Contractors Who Bid on Community Development Funded Projects and Contracts", and affirms that the Bidder meets the Eligibility Requirements and agree(s) to comply with the terms and conditions contained as the date hereof;

8. I am/The Bidder is not indebted to the Housing Authority of the County of San Bernardino in any form or manner.

Signature: _____

Date: _____

Title: _____

Witness: _____

EXHIBIT G – SECTION 3 CERTIFICATION

CERTIFICATION FOR BUSINESS CONCERNS SEEKING SECTION 3 PREFERENCE IN CONTRACTING AND DEMONSTRATION OF CAPABILITY

MANDATORY—Proposer must submit the “Certification” form as to whether they “satisfy” or “do not satisfy” the Section 3 requirements. All bids received with the “Certification” form will be considered.

OPTIONAL—To be considered for the Section 3 Preference, you must also complete the “Documentation” section and provide the backup as required.

Section 3 Business Concern means a business where:

1. 51 percent or more is owned by Section 3 residents; or
2. 30 percent of the permanent full-time employees are currently Section 3 residents or were Section 3 residents when first hired (if within the past three years); or
3. The business commits in writing to subcontract over 25 percent of the total dollar amount of all subcontracts to be let to businesses that meet the requirements of paragraphs 1 and 2 of these definitions; AND The Business was formed in accordance with State law and is licensed under State, County, Municipal law to engage in the business activity for which it was formed.

Section 3 Compliance Requirements

- A. The Section 3 regulations provide that recipients, its contractors, and any subcontractors demonstrate compliance by employing Section 3 residents as 30% of the aggregate number of new hires.
- B. A vendor is required to hire only when a new hire is needed to perform the work. In the event that no new hires are needed, vendors must document that no new hires were made during the term of the contract.
- C. The Section 3 Regulations, at 24 CFR Part 135, require that in public housing programs, compliance efforts shall be directed to provide training and employment opportunities to residents.
- D. In situations where a new hire is needed, a vendor will not be required to hire persons who are not qualified. If a new hire is needed and a Section 3 resident is identified, that Section 3 resident will be required to submit evidence of Section 3 status to the recipient, contractor or subcontractor.

Bid/Proposal Compliance (Construction Projects)

As part of each bid or proposal submitted, the respondent must document their workforce by position. Such information will be re-verified at the commencement of the contract. The HACSB will periodically audit this information. Failure to comply shall result in the delay of payment.

Bid/Proposal Evaluation

Vendors who fail to complete the certification stating if they “satisfy” or “do not satisfy” the Section 3 requirements will be deemed non-responsive. This means that in the proposal or bid documents submitted to the HACSB, the Contractor’s Certification must be completed and signed.

If requesting an exemption—include the applicable attachments and supporting documentation to support claims of compliance by hiring, contracting, or other economic opportunities.

After written notice from the HACSB specifying the defects in the Section 3 information, vendors will be given no more than 5 business days to complete the form and provide all required documents. Failure to respond within the 5 days will result in HACSB declaring the bidder or respondent non-responsive. The contract or bid will then be awarded to the next lowest bidder or to the respondent with the next highest score.

Section 3 Program Evaluation Preference

This IFB contains a preference for Section 3 business concerns in the award of Section 3 covered contracts as follows:

(i) Bids shall be solicited from all businesses (Section 3 business concerns, and non-Section 3 business concerns). An award shall be made to the qualified Section 3 business concern with the highest priority ranking and with the lowest responsive bid if that bid-

(A) is within the maximum total contract price established in the contracting party's budget for the specific project for which bids are being taken, and

(B) is no more than "X" higher than the total bid price of the lowest responsive bid from any responsible bidder. "X" is determined as follows:

When the lowest responsive bid is:

X = lesser of:

Less than \$100,000	10% of that bid or \$9,000
At least \$100,000, but less than \$200,000	9% of that bid, or \$16,000
At least \$200,000 but less than \$300,000	8% of that bid, or \$21,000
At least \$300,000 but less than \$400,000	7% of that bid, or \$24,000
At least \$400,000 but less than \$500,000	6% of that bid, or \$25,000
At least \$500,000 but less than \$1 million	5% of that bid, or \$40,000
At least \$1 million but less than \$2 million	4% of that bid, or \$60,000
At least \$2 million but less than \$4 million	3% of that bid, or \$80,000
At least \$4 million but less than \$7 million	2% of that bid, or \$105,000
\$7 million or more	1 1/2 % of the lowest responsive bid, with no dollar limit.

(ii) If no responsive bid by a Section 3 business concern meets the requirements, the contract shall be awarded to a responsible bidder with the lowest responsive bid.

HUD Compliance and Monitoring

HUD monitors the performance of recipients and contractors. HUD examines employment and contract records for evidence of actions taken to train and employ Section 3 residents and to award contracts to Section 3 businesses. HUD provides technical assistance to recipients and contractors in order to obtain compliance with Section 3 requirements.

There is a complaint process. Section 3 residents and business concerns may file complaints if they think a violation of Section 3 requirements has occurred where a HUD-funded project is planned or underway. Complaints will be investigated; if appropriate, voluntary resolutions will be sought. There are appeal rights to the Secretary. Section 3 residents and businesses may also seek judicial relief.

A Section 3 businesses or resident complaint about a violation of Section 3 requirements shall be made in writing to the local HUD FHEO Office or to:

The Assistant Secretary for Fair Housing and Equal Opportunity
U.S. Department of Housing and Urban Development 451 Seventh Street, SW, Room 5100
Washington, DC 20410-2000
1-800-669-9777
1-800-927-9276 (TTY)
<http://www.hud.gov>
www.espanol.hud.gov

A written complaint should contain:

Name and address of the person filing the complaint; Name and address of subject of complaint (HUD recipient or contractor); Description of acts or omissions in alleged violation of Section 3; and Statement of corrective actions sought.

CERTIFICATION FOR BUSINESS CONCERNS SEEKING SECTION 3 PREFERENCE

THIS PAGE MUST BE COMPLETED AND SUBMITTED WITH YOUR BID

Name of Business

Address of Business

Type of Business: Corporation Partnership
 Sole Proprietorship Joint Venture

I, (print name and title) _____

Hereby certify that the business entity known as (print business name)

(Please check one)

satisfies does not satisfy

One or more of the Section 3 Business Concerns as defined above.

If you check "does not satisfy" your proposal will not be deemed non-responsive.

OPTIONAL- to claim the Section 3 Preference-you must complete the "Documentation" section below and include any attachments

Authorizing Name and Signature

(Corporate Seal)

Attested by: _____

OPTIONAL (to claim the Section 3 Preference)

Documentation--

Attached is the following documentation as evidence of Section 3 status:

For Business claiming status as a Section 3 resident-owned enterprise:

- o Copy of resident lease
- o Copy of evidence of participation in a public assistance program
- o Copy of receipt of public assistance
- o Other evidence

For business entity as applicable:

- o Copy of Articles of Incorporation
- o Assumed Business Name Certificate
- o List of owners/stockholders and % ownership of each
- o Organization chart with names and titles and brief function statement
- o Certificate of Good Standing
- o Partnership Agreement
- o Corporation Annual Report
- o Latest Board minutes appointing officers
- o Additional documentation

For business claiming Section 3 status by subcontracting 25 percent of the dollar awarded to qualified Section 3 business:

- o List of subcontracted Section 3 business(s) and subcontract amount

For business claiming Section 3 status, claiming at least 30 percent of their workforce are currently Section 3 residents or were Section 3 eligible residents within 3 years of date of first employment with the business:

- o List of all current full-time employees
- o PHA/IHA Residential lease less than 3 years from day of employment
- o List of employees claiming Section 3 status
- o Other evidence of Section 3 status less than 3 years from date of employment

Evidence of ability to perform successfully under the terms and conditions of the proposed contract:

- o Current financial statement
- o Statement of ability to comply with public policy
- o List of owned equipment
- o List of all contracts for the past two years

Name of Business	
Address of Business	

(Corporate Seal)

Authorizing Name and Signature

Attested by: _____

EXHIBIT H
HUD FORM 5369
(INSTRUCTIONS TO BIDDERS FOR CONTRACTS)

Documents posted as attachments

EXHIBIT I
HUD FORM 5369-A
(REPRESENTATIONS, CERTIFICATIONS, AND OTHER
STATEMENTS OF BIDDERS)

Documents posted as attachments

EXHIBIT J
HUD FORM 5369-B
(INSTRUCTIONS TO OFFERORS – NON-CONSTRUCTION)

Documents posted as attachments

EXHIBIT K
HUD FORM 5370 C
(GENERAL CONDITIONS FOR NON-CONSTRUCTION)

SECTION I

Documents posted as attachments

EXHIBIT L
HUD FORM 4010
(FEDERAL LABOR STANDARDS PROVISIONS)

Document posted as attachment

END OF RFP