

SOLICITATION ADDENDUM

Date: **10/20/2022**
Subject: **Complex Litigation & Litigation Consultants RFP**
Solicitation Number: **OGC-2022-20**
Due Date/Time: **October 28, 2022 @ 4:00 pm EST**
Addendum Number: **4**

To All Suppliers:

The Commonwealth of Pennsylvania defines a solicitation “Addendum” as an addition to or amendment of the original terms, conditions, specifications, or instructions of a procurement solicitation (e.g., Invitation for Bids or Request for Proposals).

The Issuing Office received the following questions regarding the above-referenced RFP and provides the following responses:

Q.1. Please confirm that Offerors are not required to identify the specific SDB subcontractors that will be used to meet the SDB requirement on SDB-3, SDB Utilization Schedule, or anywhere else in our response.

A.1. Bidders/Offerors are not required to identify the specific SDB subcontractors within the SDB-3 Utilization Schedule, but must identify the total percentage (%) of work to be performed by SDB subcontractors. To receive credit toward meeting the SDB participation goal, the SDB subcontractor must be a DGS-verified SDB as of the execution of the subcontracting agreement. Please review SDB-1 “Instructions for completing the Small Diverse Business (SDB) Participation Submittal” AND “SDB Participation Submittal Summary Sheet and Attachments”.

Q.2. We plan to meet the SDB requirement with a SDB firm performing 16% of the work. Please confirm these are the forms to be completed:

- SDB-2: Select “I agree to meet the SDB participation goal in full. I have completed and am submitting with my bid/proposal an SDB Utilization Schedule (SDB-3), which is required in order to be considered for award”
- SDB-3: Complete the “Percentage of work to be performed by SDB subcontractors” field with 16%.

A.2. Correct. Please review SDB-1 “Instructions for completing the Small Diverse Business (SDB) Participation Submittal” AND “SDB Participation Submittal Summary Sheet and Attachments”.

Q.3. Please confirm that Offerors are not required to identify the specific VBE subcontractors that will be used to meet the VBE requirement on VBE-3, VBE Utilization Schedule, or anywhere else in our response.



A.3. Correct, Offerors are not required to identify the specific VBE subcontractors at proposal submission.

Bidders/Offerors are not required to identify the specific VBE subcontractors within the VBE Utilization Schedule, but must identify the total percentage (%) of work to be performed by VBE subcontractors. To receive credit toward meeting the VBE participation goal, the VBE subcontractor must be a DGS-verified VBE as of the execution of the subcontracting agreement.

Q.4. We plan to meet the VBE requirement with a VBE firm performing 3% of the work. Please confirm these are the forms to be completed:

- VBE-2: Select “I agree to meet the VBE participation goal in full. I have completed and am submitting with my bid/proposal an VBE Utilization Schedule (VBE-3), which is required in order to be considered for award”
- VBE-3: Complete the “Percentage of work to be performed by VBE subcontractors” field with 3%.

A.4. Correct. Please review VBE-1 “Instructions for completing the Veteran Business Enterprise (VBE) Participation Submittal” AND “VBE Participation Submittal Summary Sheet and Attachments”.

Q.5. Please provide several UNSPSC codes that can be used to search for SDB and VBE suppliers for this RFP’s scope. Our submission will be for legal services and we are uncertain of which codes we should be using.

A.5. In calculating the SDB participation goal for this procurement, the Commonwealth identified the below sub-contractable items of work. However, it is a prime offeror’s business decision as to how to meet the SDB requirements. Offerors are free to identify any additional Professional and Para-Professional Legal Services commercially useful scopes of work/UNSPSC codes for subcontracting opportunities for this procurement, or to seek a waiver from the goal consistent with the Guidance set forth in SDB-4.

Litigation	84121700
Compensated Legal Services	80121900
Temp Legal Services	80111700
Legal review & Inquiry Services	80122000
Internal Audits	84111600
Business and Corporate management consultation services	80101500
Business Law Services	80121600
Insurance	84131600

Q.6. We are a prime Offeror and will use a VBE subcontractor to meet our VBE goal. Our proposed VBE subcontractor is not currently DGS-verified. Please confirm that our VBE subcontractor does not need to be DGS-verified at the solicitation due date and time, but rather at the execution of the subcontracting agreement (which will occur after the prime Offeror signs a contract with OGC).



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DEPARTMENT OF GENERAL SERVICES
BUREAU OF PROCUREMENT

A.6. Bidders/Offerors are not required to identify the specific VBE subcontractors within the VBE Utilization Schedule, but must identify the total percentage (%) of work to be performed by VBE subcontractors. To receive credit toward meeting the VBE participation goal, the VBE subcontractor must be a DGS-verified VBE as of the execution of the subcontracting agreement.

Q.7. Please describe how dually verified firms are credited.

A.7. If a prime offeror utilizes a subcontractor that is DGS-verified as both an SDB and VBE, the same work performed by that subcontractor can count toward meeting both the SDB participation goal and the VBE participation goal. See, Appendices G and H, SDB-1 and VBE-1, Section 11.4. "Dually verified firms".

Since the goals are not cumulative, the total contract value goal would be 16% .

Q.8. Following up regarding the use of the same firm to meet the SDB and VBE requirements. I believe Ms. Smith said you can use the same firm for both, but it would only amount to 16%? Wouldn't that not meet the requirement?

A.8. See response to questions #18,#20,#27.

If you asked a question and do not see your question listed, please let the Issuing Office know right away so we can get you a response as soon as possible

Except as clarified and amended by this Addendum, the terms, conditions, specifications, and instructions of the solicitation and any previous solicitation addenda, remain as originally written.

Respectfully,

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