

SOLICITATION ADDENDUM

Date: **6/27/2019**
Subject: **Public-Private Partnership (P3) Counsel RFP**
Solicitation Number: **OGC-2019-09**
Due Date/Time: **July 9, 2019 @ 4:00 PM EST**
Addendum Number: **1**

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. In section I-11, the RFP states that “the electronic copy must be a mirror image of the paper copy and any spreadsheets must be in Microsoft Excel.” Would it be acceptable if the spreadsheets were converted into PDFs instead?

A.1. Yes, it would be acceptable if the spreadsheets are converted into PDFs.

Q.2. How many project references are required?

A.2. One project reference is required, but Offerors are encouraged to submit additional references.

Q.3. Our SDB partner will further include other SDBs and SBs under a separate contract. Will our SDB’s subcontractors count toward our score in the SDB and SB participation section of the submittal? Or will we need to contract directly with all SDBs and SBs to count toward our score in the SDB and SB participation section of the submittal?

A.3. Offerors only receive credit for commitments to direct/first tier SDB or SB subcontractors. In order to receive credit, those direct/first tier SDB or SB subcontractors must self-perform at least 50% of the work.

Q.4. Will our SDB’s subcontractors that are comprised of diverse attorneys enhance our score in the Diversity and Technical sections of the submittal?

A.4. Diversity submittals are scored consistent with the Diversity Matrix, which can be found in Part 3 of the RFP document. If Offerors can demonstrate that their use of second tier subcontractors comprised of diverse attorneys meets one or more of the factors in the Diversity Matrix, they will be scored accordingly. Absent information regarding the subcontractor’s



technical qualifications, the diverse makeup of a second tier subcontractor would not impact the technical score.

Q.5. In the proposed contract that was included in the RFP document there is the following language:

*The Law Firm shall establish and implement **a written business integrity policy**, which includes, at a minimum, the requirements of these provisions as they relate to the Law Firm's employee activity with the Commonwealth and Commonwealth employees, and which is distributed and made known to all employees of the Law Firm.*

The firm currently has client confidentiality statements for all employees; ethical responsibilities statements for our attorneys; and EEO statements that apply to everyone in the firm. Can you provide clarification as to what you consider a written business integrity policy is and what we would need to provide beyond the items listed if we are selected?

A.5. Please refer to Appendix G of OGC's standard form Contract for Legal Services. The firm should make its own assessment as to whether the items listed above comport with Appendix G. It would be inappropriate for our office to advise a firm as to what we consider a written business integrity policy beyond the clear statement of Appendix G, to which the firm will have to attest if selected.

It was brought to our attention that some firms are having problems opening Appendix G – Small Diverse Business Participation form. If you are having problems opening this form, please let me know and I will send the form to you directly

*** If you asked a question, and do not see your question listed, please let me 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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