

SOLICITATION ADDENDUM

Date: **10/18/2022**
Subject: **Complex Litigation & Litigation Consultants RFP**
Solicitation Number: **OGC-2022-20**
Due Date/Time: **October 28, 2022 @ 4:00 pm EST**
Addendum Number: **3**

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. Section I-12 states “Offerors must also provide a redacted version of the Technical Submittal, including Financial Capability information, in Microsoft Office or Microsoft Office-compatible format.”

Section I-18, A, says that Offerors who are divulging trade secrets must provide a redacted version.

Please confirm that only Offerors who are divulging trade secrets must provide a redacted version.

A.1. Yes, correct.

Q.2. The RFP states “Offeror must submit its proposal, including the cost proposal, on the basis of the terms and conditions set out in Part V of the RFP. The Issuing Office will reject any proposal that is conditioned on the negotiation of the terms and conditions set out in Part V of the RFP.”

Please confirm there will not be negotiation period for this contract and that the Part V - Contract for Legal Services Template must be accepted as written in its entirety.

A.2. Yes, correct.

Q.3. This section states “The Cost Submittal – Appendix B shall be placed in a separate sealed envelope within the sealed proposal, separated from the technical submittal.”

Because this is an electronic submittal, please confirm Offerors may provide the Cost Submittal as a separate electronic file.

A.3. Yes, please submit the cost submittal as a separate electronic file.

Q.4. The RFP requires statewide coverage and knowledge of the PA state/federal courts and their procedures. Is it a requirement that proposed team members be barred in Pennsylvania?

A.4. While it is not a strict requirement per se, it is axiomatic that at least one member of the team be a member of the Pennsylvania bar.

Q.5. Please confirm that it is acceptable for our firm to apply for representation in only some of the specialty areas listed on pages 22-23, and not the complete list.

A.5. Yes, this is acceptable.

Q.6. The RFP states that there is an established General Litigation and Emergency Counsel contracted pool of law firms. Please provide a list of these firms.

A.6. This is public information and can be found at the link listed below:

<https://www.ogc.pa.gov/Outside%20Counsel/Pages/Awarded-Engagements.aspx>

Q.7. Please clarify how Appendix A should be submitted. Should it be submitted as a standalone file, or should it be included as part of the Technical Submittal electronic file?

A.7. Appendix A can be submitted as a standalone file or included as part of the Technical Submittal electronic file.

Q.8. Please clarify how Offerors can obtain an “Offeror SAP/SRM Vendor Number.”

A.8. In order for a firm to obtain an SAP/SRM Vendor Number, they need to register as a supplier through the supplier portal. Below is a link to the DGS webpage where you can access the Supplier Service Center and there is also a registration guide.

<https://www.dgs.pa.gov/Materials-Services-Procurement/Pages/default.aspx>

If a firm does not have an SAP/SRM Vendor Number by the bid due date and time, it is not grounds for disqualification.

Q.9. The instructions provided skip from 4.) to 7.) Please confirm the instructions on this tab are complete.

A.9. Yes, the instructions on this tab are complete.

Q.10. Please clarify how Offerors can obtain the vendor number that should be used to complete the “Vendor Number” field.

A.10. Please refer to the response to Question 9 above.



Q.11. The Instructions tab states the “Offeror should provide hourly rates for each of the personnel it will use, if appointed as counsel.”

However, the Rate Card requests that we provide “Estimated Hourly Rate per Position.” Please confirm that Offerors should provide estimated hourly rates by position only (and not by named personnel).

A.11. Offerors should provide estimated hourly rates by position only.

Q.12. Column C requests that Offerors provide “Proposed No. of Hours Worked.”

Because the hours for the legal services under this contract will vary, please clarify the information you are requesting in this column.

A.12. Please disregard this. No need to provide a proposed number of hours worked.

Q.13. Where should Offeror include alternate pricing model information? As a new tab in Appendix B or in a separate, accompanying cost proposal document?

A.13. As a new tab in Appendix B.

Q.14. Where should Offeror summarize our expense reporting information? As a new tab in Appendix B or in a separate, accompanying cost proposal document?

A.14. As a new tab in Appendix B.

Q.15. The appendix requests that Offerors provide at least one completed Appendix F – Project References with their response. Will Offerors receive additional points during evaluation by providing an additional completed Appendix F?

A.15. Providing multiple project references may help your score, but you will not necessarily receive additional points during evaluation by doing so.

Q.16. Question 1 requests that we provide workforce information for each job category with our firm and directs us to an example (Appendix J).

The sample (Appendix J) requests the work force breakdown of law firm main office involved in engagement.

Please clarify:

- 1) The workforce information that should be provided – for the entire firm or for the main office involved in the engagement.
- 2) Should Offeror complete Appendix J as is, or should it be used as an example only.

A.16. 1) For the main office involved in the engagement. You can also provide the information for your whole firm if you would like to.

2) Offerors should complete Appendix J.

Q.17. Our firm does not capture disability information. Please confirm that we can provide a response of “Not available” for these items.



A.17. Yes, you can provide a response of “Not available” for these items.

Q.18. For Questions 7-10, Offeror tracks this information as part of its supplier diversity program and can provide data points regarding our suppliers. We are unable to provide this information about our other clients.

Please confirm that providing data regarding our suppliers is an acceptable response.

A.18. Yes, this is an acceptable response.

Q.19. It does not appear that RFP OGC-2022-20 calls for the Offeror to specifically identify the SDB and VBE, or for the SDB or VBE to submit an independent response to any portion of RFP OGC-2022-20. Rather, it appears the RFP requires only that the Offeror select and confirm the selection of a SDB and VBE, and then complete and submit the SDB-2 Participation Submittal form, SDB-3 Utilization Schedule % form, VBE-2 Participation Submittal form, and the VBE-3 Utilization Schedule % form.

Could you please confirm that this understanding is correct, or kindly advise otherwise?

A.19. Yes, this understanding is correct.

Please note the Issuing Office is still in the process of drafting responses to some of the questions asked. These responses will be posted ASAP

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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