



SOLICITATION ADDENDUM

CITY OF PHOENIX

Solicitation Number: RFQu LAW-23-0084
Addendum #1 (Issued 03/30/2023)
Solicitation Due Date: Thursday, April 7, 2023, 4:00 p.m. Local Time

1.	<p>Question: “Do you know who I have the certificate insurance made out to? Certain person at a certain department? Certain address on the certificate?”</p> <p>Answer: The certificate holder should read:</p> <p style="padding-left: 40px;">City of Phoenix Attn: City Attorney 200 W Washington St 13th Floor Phoenix, AZ 85003</p>
2.	<p>Question: “Document 4 of The Solicitation Response Check List indicates that we need to include a Certificate of Insurance for all insurance requirements. One of those requirements is Professional Liability. We don’t typically get a Certificate of Insurance for our Professional Liability policy, but we do have a Declarations Sheet. Would submission of that be sufficient to satisfy this requirement?”</p> <p>Answer: For purposes of proposal submission, that is acceptable. The City will work with selected offerors to resolve insurance issues prior to any work being assigned, as set forth in Section 9.2, Solicitation Response Check List.</p>
3.	<p>Question: “The Solicitation Materials include Attachment 13 (Offer), but the Solicitation Response Check List does not indicate that we need to include this form. Please advise whether we should complete this form, and if so, where do we find the “City’s Registration System ID Number Located at City’s eProcurement website?””</p> <p>Answer: The Offer Page is required as part of the offer submission. As set forth in Section 9.2, Solicitation Response Check List, Document 9 of the offer submission should include “the Offer Page (attached hereto) signed by the person with full authority to enter into any future binding agreement(s).” The Offer Page was included in the Solicitation as “Attachment 13 – Offer”.</p> <p>The “Registration System ID Number” is the number provided once an offeror/vendor registers to become a City vendor. The following link provides useful resources: https://www.phoenix.gov/finance/procurement/supplier-registration-instructions</p>
4.	<p>Question: “Would the following additional language (in red) to section 8.8 be acceptable? We propose this exception as our Professional Liability coverage is not rated by A.M. Best. It has an A or better rating by Fitch.</p> <p>8.8. Acceptability of Insurers</p>



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	<p>Insurance is to be placed with insurers duly licensed or authorized to do business in the state of Arizona and with an “A.M. Best” rating of not less than B+ VI or a “Fitch” rating of not less than A. The City in no way warrants that the required minimum insurer rating is sufficient to protect the Contractor from potential insurer insolvency.”</p> <p>Answer: The requested addition of “or a ‘Fitch’ rating of not less than A.” is accepted by the City.</p>
5.	<p>Question: “Section 2.11.B.5. provides, in part, that: "Due to file size limitations for electronic transmission (for sending or receiving), Offers sent by email may need to be sent in parts with multiple emails, which must be numbered sequentially." Also, the last paragraph of the RFP, in part, provides that: "Due to file size limitations for electronic transmission, offers sent by email may need to be sent in parts with multiple emails." In this regard, please let us know the file size limitations for electronic transmission of our proposal.”</p> <p>Answer: The City is unable to provide specific file size limitations. However, it must be noted that large file submissions are sometimes bounced back to offerors. It is the responsibility of the offeror to ensure that the City timely receives the offer. As such, the City recommends not waiting until the last moment to submit the offer electronically in the event that a submission is bounced back for file size limitations.</p>
6.	<p>Question: “Section 6. Special Terms and Conditions, Subsection 6.9. Data Protection of the RFP (page 43), provides, in part, that: "[i]f the Contractor becomes aware of any actual or potential data breach (each an “Incident”) arising from Contractor’s processing obligations pursuant to the Agreement, Contractor shall notify the City at SOC@phoenix.gov without undue delay within 48 hours; and:". In this regard, our standard operating procedure is that the Firm notifies clients within 72 hours if their data is affected. Is the City willing to accept a change to the contract or would a requested change be considered to be nonresponsive if included within a proposal?</p> <p>Answer: The City prefers notification within 48 hours but is willing to accept 72 hours.</p>
7.	<p>Question: “Does the City of Phoenix engage law firms with lawyers licensed and located out of state? If so, could you give an example of the area of practice where this is common?”</p> <p>Answer: Please see Section 2.15 of the solicitation (“Qualification Criteria”).</p>



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	<p>Each Offeror must be authorized to practice law and be in good standing in the state in which Offeror is authorized to practice law. While the City Attorney accepts offers from attorneys admitted to jurisdictions outside of Arizona, the City Attorney anticipates most of the legal services involve matters located within Arizona.</p> <p>Please also see Areas of Practice and Rate Schedule attachment 9. Section 1.2 of the solicitation (“Background”) noted that the attachment provided common practice areas for legal services.</p>
8.	<p>Question: “Does the City have guidelines for how they define attorney levels (Senior Partner, Junior Partner, etc.), or is it acceptable to provide our own definitions for these levels?”</p> <p>Answer: Please see Areas of Practice and Rate Schedule (Attachment 9), which sets forth the following designations: Senior Partner, Junior Partner, Senior Associate, Junior Associate, Paralegal, Specialized Paralegal. If an offeror has a different breakdown of roles in their respective firm, please provide such a breakdown and applicable definitions as needed.</p>
9.	<p>Question: “Is the City of Phoenix open to receiving offers for securities litigation counsel services and/or portfolio monitoring services in response to the above Request for Qualifications?”</p> <p>Answer: Please see Areas of Practice and Rate Schedule (Attachment 9) for common practice areas. However, this is not an exhaustive list, and the City welcomes submission of other practice areas.</p>
10.	<p>Question: “Does the Aviation Law area of service include airport development?”</p> <p>Answer: The Areas of Practice and Rate Schedule (Attachment 9) provides common practice areas in broad categories. The City welcomes submission of practice areas that may be designated as sub-categories of a broader practice area.</p>



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The balance of the specifications and instructions remain the same. Offeror must acknowledge receipt and acceptance of this addendum by signing below and returning the entire addendum with the Offer submittal.

Name of Company:

Address:

Authorized Signature:

Print Name and Title:
