

ADDENDUM # 3

(please sign and return with the submittal)

QUESTIONS AND ANSWERS:

Note: Spelling, grammar, and punctuation of the questions are shown exactly as submitted by the potential respondents.

| No. | Question | Answer |
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| 1. | <p>Technology E & O insurance is available to enterprises to cover the following:</p> <ul style="list-style-type: none"> • Software the insured sold to a client had glitches that caused them to lose a month’s worth of billing data. • Equipment the insured installed prevented the insured’s customer from receiving online orders for 48 hours. • The insured’s cloud-based data services failed to backup critical data that a customer cannot recreate. • The website the insured designed for a customer looked too much like its key competitor’s site. <p>It is not coverage that is applicable to or available for the delivery of legal services. None of these contingencies appear to be contemplated by this solicitation. Would the City be willing to waive this insurance requirement for this solicitation?</p> | <p>The insurance requirement for Technology E & O cannot be waived to the extent it applies to the contractor’s services and communications in connection with legal services, e.g., cloud-based data services.</p> |
| 2. | <p>What does “Mediation” entail as an area of legal service in relation to this RFQu and providing legal services to the City of Phoenix? What will the responsibilities and duties of the contractor be for that particular area of law?</p> | <p>Mediation for purposes of this solicitation means informal or formal mediation and settlement processes including, but not limited to, following the filing of a Notice of Claim, Lawsuit, or other legally significant proceeding (e.g., claims filed at state or federal agencies). The contractor would be expected to represent the interests of the City and/or employees who were acting in the course and scope of their duties in mediation and settlement processes.</p> |
| 3. | <p>Section 2.17 of the RFQu packet outlines what should be included in the Offer but in Section 2.27 it states the Offer should follow the format provided and Offers that contain “additions not requested” are subject to disqualification. The items requested in each section do not match so do we only include the information</p> | <p>Section 2, Instructions, Subsection 2.17., Content of Response, is standard language used by the City of Phoenix for all RFQu solicitations. Section 2, Instructions, Subsection 2.27., Form of Offer, is language specific to this solicitation. When in doubt, or in case of conflict, please defer to Subsection 2.27. However, you will not</p> |

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| | requested in Section 2.27 in that specific order or do we also have to implement the items in Section 2.17 in our Offer as separate documents? Please advise. | be penalized if you additionally include the information listed in 2.17. |
| 4. | Where do the first 6 pages/submittals of "Submittals AA-OO" go in the order of the submission? I am using the 7th submittal/pages 7-9 for Document 8 (H) and the 8th submittal/page 10 for Document 9 (I)...but am not sure about the others' spots in the submittal order. Please confirm that I am correct re: Doc 8 and 9 and let me know about the position for the remaining submittals. | The first six pages/submittals of "Submittals AA-OO" should be placed after Document 7 (as described in 2.27.G.) and before Document 8 (as described in 2.27.H.). The Submittal documents should not be broken up, if possible. In confirmation, H. Document 8 - the Solicitation Conflict and Transparency Disclosure form is pages 7 – 9 of "Submittals AA-OO" and is labeled, "CONFLICT OF INTEREST AND TRANSPARENCY FORM". Additionally, I. Document 9 - the Offer Page is page 10 of "Submittals AA-OO" and is labeled, "OFFER". |
| 5. | Regarding the RFQ-25-0623 – Outside Counsel Legal Services, The Offer form asks for our Arizona Sale Tax No., Use Tax License No. for Out-of-State, and Arizona Corporation Commission File No. Our firm is based in [REDACTED] and does not currently have these numbers. Can we indicate on the form that we will apply for them and be able to provide the numbers at the start of the contract period if our proposal is successful? | These numbers will need to be acquired and provided before the contract is sent to the City Council for approval. Please see reference Section 2, Instructions, Subsection 2.8., Business in Arizona, which states, "The City will not enter contracts with Offerors (or any company(ies)) not granted authority to transact business, or not in good standing, in the state of Arizona by the Arizona Corporation Commission or the Arizona Secretary of State, unless the Offeror asserts a statutory exception prior to entering a contract with the City." |
| 6. | Regarding the RFQ-25-0623 – Outside Counsel Legal Services, the Submittals AA-OO RFQu-25-0623.pdf contains forms for Cost and Payments, Emergency 24-Hour Service Contact, Place of Business, Contractor Licensing Requirements, Years in Business and References, Certification Regarding Debarment, Suspension, and Other Ineligibility and Voluntary Exclusion. What Document number should include these forms in our response? | The first six pages/submittals of "Submittals AA-OO" should be placed after Document 7 (as described in 2.27.G.) and before Document 8 (as described in 2.27.H.). The Submittal documents should not be broken up, if possible. H. Document 8 - the Solicitation Conflict and Transparency Disclosure form is pages 7 – 9 of "Submittals AA-OO" and is labeled, "CONFLICT OF INTEREST AND TRANSPARENCY FORM". I. Document 9 - the Offer Page is page 10 of "Submittals AA-OO" and is labeled, "OFFER". |
| 7. | Section 2.17. Content of Response, provides in part, that: "[t]he Offerors' | If an Offeror does not have "audited financial statements," they may submit a |

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| | <p>response will include the following: . . . D. Description of current financial status and/or a copy of the most recent audited financial statements." In this regard, we wanted to state that we are a private law firm that does not have publicly audited financial statements. Therefore, we want to confirm that the City will consider a proposal as responsive if it is from a private law firm that does not provide a copy of its financial statements, but instead provides a summary statement regarding its annual revenues for the last two years as part of an opinion letter from its independent auditors.</p> | <p>"description of current financial status." The City is not able to prospectively assure Offerors that their proposed financial status submittals will be sufficient for the City's responsiveness analysis.</p> |
| <p>8.</p> | <p>Section 2.18. Evaluation and Selection, provides in part, that: "RFQu responses should be concise, well-organized per the requested information, clearly written and limited to no more than one hundred pages including resumes." In this regard, we want to confirm whether the page limit includes the required forms.</p> | <p>RFQu responses comprising an Offeror's Statement of Qualifications should be limited to no more than one hundred pages. This page limit applies to Documents 1 – 5 from the list of required Documents specified in Section 2.27., Form of Offer. This page limit does not apply to any Submittal documents or forms required by the City of Phoenix.</p> |
| <p>9.</p> | <p>The table of Contents of the RFQ (page 2), lists the following forms as "Submittals": Costs and Payments rev 2-2023, 24 Hour Emergency Contact rev 2-2023, Place of Business rev 2-2023, Contractor Licensing Requirements rev 2-2023, References rev 2-2023, and Debarment & Exclusion rev 2-2023. The forms are included in the Submittals AA-OO RFQu-25-0623.pdf document and each includes the following statement: "(please complete and return with the submittal)"; however, Section 2.27. Form of Offer, does not list as one of the Documents to include. In this regard, we want to confirm where we should include these forms in our proposal.</p> | <p>Yes, all "Submittal" forms must be completed, signed, and returned as a part of an Offeror's Statement of Qualifications. The first six pages/submittals of "Submittals AA-OO" should be placed after Document 7 (as described in 2.27.G.) and before Document 8 (as described in 2.27.H.). The Submittal documents should not be broken up, if possible.</p> |
| <p>10.</p> | <p>Notices: Would you please notify Partners [REDACTED] and [REDACTED] by email if any addenda to this RFQ are issued?</p> | <p>I have added the requested individuals to the list of potential Vendors to receive courtesy emails. Three addenda have been released, at this time, for RFQu-25-0623, they are all available on the public facing solicitations page at https://solicitations.phoenix.gov.</p> |

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| 11. | <p>Maximum Attachment File Size: Per page 8, section 2.11 Submission of Offer, "F. 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. It is the responsibility of the Offeror to ensure that the Offer (including all parts if sent in multiple emails) is timely and to confirm that there are no technical reasons that any offer submitted electronically may be delayed." What is the maximum attachment file size (in MB - megabytes) that can be received by the email address, procurement@phoenix.gov?</p> | <p>The received messages maximum size (KB) for procurement@phoenix.gov is 153600 KB or approximately 150 MB.</p> |
| 12. | <p>Page Count: Per page 10, section 2.18 Evaluation and Selection, "RFQu responses should be concise, well-organized per the requested information, clearly written and limited to no more than one hundred pages including resumes".</p> <p>If the Firm submits an additional copy of its RFQ response in redacted form to designate certain Firm information as confidential, will the submission of the redacted version of the response be counted among the one hundred (100) page response limit?</p> | <p>If you submit two versions of the same Statement of Qualifications, with the only difference being that one is redacted, and the other is not, the redacted copy would not count towards the page limit. The Statement of Qualifications is limited to no more than one hundred pages including resumes.</p> <p>The goal is to keep the Statement of Qualifications concise, well-organized, and clearly written, which is why there is a limit, on that document, of one hundred pages including resumes.</p> |
| 13. | <p>Form Placement: Section 2.27 Form of Offer (pages 14-15) states the requested order of document placement as Document 1 through and including Document 9. The website, https://solicitations.phoenix.gov/Solicitations/Details/2082 published a file named, 'Submittals AA-OO RFQu-25-0623.pdf' ("Submittals AA-OO"). Within Submittals AA-OO, the following documents were found that may be sought by City of Phoenix as part of the response:</p> <ul style="list-style-type: none"> A) Costs and Payments B) Emergency 24-Hour Service Contact C) Place of Business D) Contractor Licensing Requirements E) Years in Business and References | <p>The first six pages/submittals of "Submittals AA-OO" should be placed after Document 7 (as described in 2.27.G.) and before Document 8 (as described in 2.27.H.). The Submittal documents should not be broken up, if possible.</p> |

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| | <p>F) Certification Regarding Debarment, Suspension, and Other Ineligibility and Voluntary Exclusion</p> <p>- What is the appropriate place in Documents 1-9 for the six, completed submittal forms listed above to be inserted?</p> | |
| <p>14.</p> | <p>Addendum 1 and Addendum 2: As of this writing, City of Phoenix has issued Addendum 1 and Addendum 2. Each addendum states, "Bidder must acknowledge receipt and acceptance of this addendum by signing below and returning the entire addendum with the bid or proposal submittal."</p> <p>- In connection with the one hundred (100) page limit set forth at page 10, section 2.18 Evaluation and Selection, should the pages of Addendum 1 and Addendum 2 be counted as part of the one hundred (100) page limit?</p> <p>- What is the appropriate place in Documents 1-9 where Addendum 1 and Addendum 2 should be inserted?</p> | <p>The one-hundred-page limit does not apply to any Submittal documents or forms required by the City of Phoenix. This includes any and all Addenda required by the City.</p> <p>Bidder must acknowledge receipt and acceptance of all addenda by signing and returning the entire addendum with the bid or proposal submittal. All addenda should be included/attached at the end of each submission.</p> |
| <p>15.</p> | <p>The City has received inquiries seeking clarification on exceptions.</p> | <p>The City previously provided the following information in Addendum 2 (reference Addendum 2, Answer 2):</p> <p>"The City encourages Offerors to first seek clarification from the Procurement Officer regarding any of the solicitation terms, conditions, or requirements. The Procurement Officer will then respond to written inquiries through an addendum and publish any addendums on the Procurement Website. To the extent the written inquiries prompt revisions to the Solicitation's terms and conditions, this will be documented as part of the addendum.</p> <p>Although Offerors may submit exceptions with their Offers, pursuant to Section 2.5 of the Solicitation, the City will exercise its sole discretion in determining whether those exceptions alter any material terms, conditions, or requirements. If the exceptions do alter material terms,</p> |

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| | | <p>conditions, or requirements, the City may deem the Offer non-responsive and disqualified from further consideration. Accordingly, seeking clarification from the Procurement Officer may reduce the amount of non-responsive determinations. Offers submitted with exceptions may be deemed non-responsive and disqualified from further consideration in the City’s sole discretion.”</p> <p>Moreover, the city draws attention to Section 2.19., Agreement, of the solicitation, which provides, “At its sole discretion, the City may allow selected Offerors to participate in negotiations and may require such Offerors to submit cost, technical or other revisions of the submittals as may result from negotiations. The City shall draft all final contracts and documents that result from this RFQu and must approve any revisions or amendments thereto.”</p> <p>In other words, Offerors may submit clearly identified redlines or exceptions. However, the City retains sole discretion to accept or reject, in whole or in part, any and all redlines or exceptions.</p> <p>If an Offeror submits redlines and/or exceptions, please submit them as tracked changes in a Microsoft Word document. Otherwise, Offerors should be prepared to submit their redlines and/or exceptions in Word document format upon request. Offerors may also include imbedded comments on the tracked changes, which explain the Offeror’s justification for the redlines and/or exceptions.</p> |
| 16. | <p>Regarding the Contractor Licensing Requirements form--we are a law firm that has worked with the City for a number of years. Are we required to have a license with the Registrar of Contractors?</p> | <p>With regard to the Submittal form labeled as “CONTRACTOR LICENSING REQUIREMENTS”, Offerors are not required to be licensed by the Registrar of Contractors. However, referencing Section 2.15., Qualification Criteria, “Each Offeror must be authorized to practice law and be in good standing in the state in which the Offeror is authorized to practice law.” the</p> |

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| | | form in question is a good place to enter such authorization information. |
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The balance of the specifications and instructions remain the same. Bidder must acknowledge receipt and acceptance of this addendum by signing below and returning the entire addendum with the bid or proposal submittal.

Name of Company: _____

Address: _____

Authorized Signature: _____

Print Name and Title: _____