



RFP Number: 24-04 Panel of Legal Service Providers

Addendum Number: 1 – Questions and Answers from Prospective Proposers

Date: April 9, 2024

NOTICE TO PROPOSERS: THIS ADDENDUM SHALL BECOME PART OF THE RFP, AND PROPOSERS SHALL ACKNOWLEDGE, IN WRITING, RECEIPT AND INCORPORATION OF ALL ADDENDA AND CLARIFICATIONS IN THEIR RESPONSE. FAILURE OF THE PROPOSER TO RECEIVE ADDENDA SHALL NOT RELIEVE THE PROPOSER FROM ANY OBLIGATION UNDER ITS PROPOSAL AS SUBMITTED. THE PROPOSER SHALL IDENTIFY AND LIST IN ITS PROPOSAL ALL ADDENDA RECEIVED AND INCLUDED IN ITS PROPOSAL; FAILURE TO DO SO MAY BE ASSERTED BY THE DISTRICT AS A BASIS FOR DETERMINING THE PROPOSAL NON-RESPONSIVE.

Answers to Questions

Number	Questions	Response
1	Will the District provide serious consideration to proposals which rates are significantly higher than those referenced in the RFP?	Hourly rate pricing is only a portion of the points afforded a proposal submittal. The District will weigh considerably also other qualitative factors of the proposal in its evaluation. Hourly rate pricing is not an absolute determinative factor of evaluation.
2	I have another question to follow up, for the exhibits A-H, for the proposers' signature, do you need the signatures of the firms founders or our HR manager? And for the master copy, do all signatures need to be	E. Authorized Signatures Exhibits A through G must all be signed by the Proposer's authorized signatory and must be submitted by the Proposer in the sealed envelope along with its proposal. The District is unable to accept any proposal



	<p>wet signatures or will you accept digital signatures?</p>	<p>submitted without these statements completed and signed by the Proposer's authorized signatory.</p>
<p>3</p>	<p>I have the following questions regarding Paragraph 3 of RFP "Appendix A: Scope of Services/Description of Qualifications," which states in part as follows:</p> <p>"Each proposal shall list at least one other client, especially governmental agencies, where the potential contractor is currently providing legal services."</p> <p>Question 1: Do the words "one other client" mean a client <i>other than</i> LACCD?</p> <p>Question 2: Does the word "especially" mean that the "other client" <i>must</i> be a governmental agency or does it mean that a governmental agency is a <i>preferred</i> reference?</p> <p>To put these questions in context, I have provided legal services to LACCD continuously for over 22 years, but I do not currently represent any governmental agency other than LACCD. I do currently represent at least one other private college and one other private school, as well as several private developers.</p>	<p>Proposers are encouraged to provide references other than District projects/personnel. Proposers should be aware that Key Personnel and Firm submissions will be evaluated on the overall strength of the submissions and the demonstrated qualifications, experience, and capabilities of the proposed teams.</p>



	<p>I am contemplating submitting a proposal for Class II services. If it is <i>mandatory</i> that I currently have at least one client <i>other than LACCD</i> that is a <i>governmental agency</i> then I may be disqualified.</p> <p>Hence, I am asking that this RFP provision be clarified before I submit a proposal in response to the RFP.</p>	
4	<p>I am in the process of submitting our proposal to the RFP 24-04. I note that the interviews with proposers are from May 15, 2024 through May 26, 2024. I will be out of the state during the whole week from May 20, 20024 through May 24, 2024. If I am fortunate enough to be chosen for an interview, could the interview be scheduled on May 15, 16 or 17, 2024? If so, how do I properly request those dates?</p>	<p>We won't know the interview schedule until Phase I is completed. The District will make its best effort to inform Phase II candidates of the interview dates as soon as it is possible</p>
6	<p>Should the descriptions of qualifications be included in Appendix A, or should they be under 4.C. Scope Of Services/Description Of Qualifications?</p>	<p>Please see Section 5. PROPOSAL FORMAT AND CONTENT. Proposers are directed to carefully follow and meet all requirements for the information for references requested.</p>
7	<p>For # 6. References, in addition to including at least four references, per 6.1 do you also want a separate section where we provide a list of business clients—especially</p>	<p>Yes.</p>



	community colleges and school districts—that our firm has provided similar services in the past three years?	
8	For Appendix B you request “excerpt from your Corporate Resolution, Certificate of Secretary, or correspondence from the Chief Executive Officer or chairperson attesting that the individual signing the proposal has the authority to make binding representations on behalf of the financial institution”. By “financial institution” do you mean our Firm/the Proposer?	Yes, the Firm or the Proposer.
9	In the referenced RFP, at pg. 21 of 68, it states: “In your proposal, please respond to each question by repeating the question at the top of the section and referring to the question by the numbers used in this RFP.” In reviewing the RFP, and especially the section on required format, I do not see any “questions” that would seem to require a response as part of our Proposal. Can you please clarify what is meant by the quoted sentence?	Your proposal, at the top of each page, should be labeled in accordance to Section 5.2.2. Required Content of Proposal.
10	5.2.2. "Required Content of Proposals" section 7.1 pertaining to Appendix A-Supporting Documents states "Furnish as appendices those supporting documents (e.g., certificates of insurance..."	Yes, Certificates of Insurance are required with the proposal submission.



	Could you please confirm if certificates of insurance are required with the proposal submission or upon award of an agreement?	
11	The transmittal letter asks for the "name and address of operating provider" as well as the "identification of the offering vendor(s)." Can you clarify what the difference is between the two?	There is no difference and there are interchangeable terms which means proposer.
12	Under 5.2.2 of the RFP ("Required Content of Proposals"), we are asked to provide a cost proposal (see section 4.D. "See Appendix B: Cost Proposal"). Should we include the same information in this section of our proposal as we will be including in Appendix C "Cost Structure?" If not, how should each section differ?	<p>RFP Appendix B – Cost Proposal is the District’s format of how the proposer’s Appendix C – Cost Structure should be formatted and submitted.</p> <p>7.3. Appendix C - Cost Structure - Provide your Cost Proposal/Schedule of Fees All Proposers are required to use Appendix B, Cost Proposal to be submitted with their Proposal. Proposals shall be valid for a minimum of ninety (90) days following submission.</p> <p><u>Overview:</u> This section should disclose all charges to be assessed the by District and to be generated from the District’s Scope of Work. Quote an annual total fixed flat fee for completing all requirements outlined in the Specifications/Scope of Work.</p>



13	It appears that all matters included under Class IV refer to workers' compensation matters, and no other litigation matters, based on the information outlined in Exhibit I – Guidelines for Legal Panel on Class IV Matters; however, the note on page 37 specifically indicates that "this RFP is not for counsel on workers' compensation, municipal bonds, or bond disclosure matters." Will you please clarify whether Class IV matters include only Workers Compensation matters, or whether they also include other kinds of litigation matters?	This paragraph refers to Class V Matters only.
14	Is LACCD able to provide information regarding the last panel RFP that was issued in 2019? How many firms were previously selected as a result of that process?	You may request this information through the Public Records Request using the link below. https://www.laccd.edu/sites/laccd.edu/files/2022-08/OGC-PRA-Form.pdf
15	Will the "reasonable" rates identified by the LACCD for Categories I to V in RFP No. 24-04 remain the same/static over the course of the five-year contract period?	Yes.
16	The proposed "reasonable" rates appear to be similar to the "reasonable" rates set forth in the previous five-year contract ending 2024. Is it the LACCD's intention not to increase rates over a 10-year period?	No, this is not the intent of identifying "reasonable rates" in the RFP. Firms are not prohibited from proposing rates that are higher or lower than the reasonable rates identified in the RFP. The reasonable rates are intended as an estimated target rate for which



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		<p>the District has paid for such legal services in the past and against which it will evaluate rates proposed.</p> <p>The rates proposed by firms should be a rate they can reasonably maintain throughout a 5-year contract with the District if selected to be on its legal panel.</p>
17	How do you classify Senior Associates/Partners vs. non-Senior Associates/Partners?	What was provided in the RFP is an example of common Firm positions. The District is open to considering other positions proposed by the Firm.
18	Pertaining to rates, will we be able to seek matriculation at the beginning of each calendar year?	Rates should remain the same during the contract period.
19	Regarding Class III matters, over the last 5-10 years, what is the breakdown of investigations relating to: <ul style="list-style-type: none">○ Personnel or human resources○ Harassment and discrimination complaints based on protected class○ Title IX	While Class III Matters vary, over the last 5-10 years, the District has received approximately 1, 078 investigations total, which can be broken down as follows: <ul style="list-style-type: none">a. Personnel/HR/Other: 114b. Harassment/Discrimination/Retaliation: 904c. ADA/Accommodation/Pregnancy: 60
20	The RFP States: A minimum of four (4) references to be included with contact names and information are required.	The Business Clients may overlap with respect to the contact and organization identified in the four provided references.



Followed by:

6.1 List of business clients—especially community colleges and school districts—to which your firm has provided similar services in the past three years. Specifically, include the following: name and address of organization, description of work and date performed, contact name/title/phone

Question: Is the list of business clients meant to serve as references, or is this in addition to the four provided references?